

City of Eloy

Zoning Ordinance & Subdivision Regulations Update

Module 5: Outdoor Lighting
January 2018

Prepared for:



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SECTION 4 - OUTDOOR LIGHTING

4.5 OUTDOOR LIGHTING

4.5.1 PURPOSE AND INTENT

- A. The City of Eloy finds that excessive levels of light intensity interferes with the enjoyment of private property, causes safety hazards for drivers and users of the public right of way, and obstructs astronomical observations in the area.
- B. This Ordinance establishes procedures and standards that minimize light trespass and light pollution, reduce glare and conserve energy by controlling the artificial illuminating devices emitting rays into the night sky.
- C. The intent of these outdoor lighting requirements is to preserve the low light level conditions that are inherently characteristic of the rural lifestyle. The objective is to allow only the quantity and level of lighting necessary for safety, security and the enjoyment of private property.

4.5.2 CONFORMANCE WITH APPLICABLE CODES

- A. All outdoor lighting fixtures shall be installed in conformance with the provisions of this Ordinance and the applicable provisions of the Building Codes, Electrical Codes and Sign Code requirements currently in effect in the City of Eloy and under appropriate permit and inspection.
- B. Where any provisions of the Arizona Revised Statutes, or any federal law, or any companion ordinance conflicts with the requirements of these outdoor lighting provisions, the most restrictive shall govern.

4.5.3 APPLICABILITY

A. Existing Buildings and Uses

Any new outdoor lighting installed upon a building or parcel, lot or tract of land shall meet the requirements of this Ordinance with regard to the pole height, lamp type and shielding requirements. The total outdoor light output after the new lights are installed shall not exceed that intensity of light that was emitted in a legally non-conforming manner prior to the lighting component update or modification.

B. New Uses, Buildings, and Major Additions or Modifications

1. The requirements of this Ordinance apply to any and all new and major additions to land uses, developments, buildings, or structures.
2. If a major addition occurs on a property, the entire property shall comply with the requirements of this Ordinance. For purposes of this section, the following are considered to be major additions:

- a. Additions of twenty-five (25) percent or more in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces, either with a single addition or with cumulative additions subsequent to the effective date of this Ordinance; and
- b. Single or cumulative modification or replacement of outdoor legally installed lighting fixtures constituting twenty-five (25) percent or more of the lumens that would be permitted under this Ordinance for the property, no matter the actual amount of lighting already on a non-conforming site, constitutes a major addition for purposes of this section.

C. Minor Additions or Modifications

Additions or modifications of less than twenty-five (25) percent in terms of additional dwelling units, gross floor area, seating capacity, or parking spaces to existing uses shall require the submission of a complete inventory and site plan detailing all existing and any proposed new or modified outdoor lighting. Any new or modified outdoor lighting on the site shall meet the requirements of this Ordinance with regard to pole height, shielding and lamp type; the total amount of light emitted (after the modifications are complete) shall not exceed that which was emitted on the site before the modification, or that light intensity permitted by this Ordinance, whichever is larger.

D. Change of Use

Whenever the use of any existing building, structure or premises is intensified through the incorporation of additional dwelling units, gross floor area, seating capacity, or other units of measurement which create a need for an increase in the total number of parking spaces of twenty-five (25) percent or more either with a single change or cumulative changes subsequent to the effective date of this Ordinance, then all outdoor lighting shall be reviewed and brought into compliance with the requirements of this Ordinance before the use is resumed (to the maximum extent feasible) as determined by the Zoning Administrator.

4.5.4 EXEMPTIONS

The following outdoor lighting uses and/or luminaires are hereby exempt from the provisions of this Ordinance:

- A. Emergency lighting used by police, fire fighting, governmental, military, correctional facilities? or medical personnel is exempt from the requirements of this Ordinance so long as an emergency situation exists.
- B. Streetlights installed and used in public rights of way.
- C. Outdoor lighting in which lumens are produced directly by the regulated combustion of fossil fuels within enclosed housings such as gas lamps, lanterns and/or fire pits.

- D. Lighting of any outdoor recreational or athletic field, court, track or range. See Section 4.5.5 (G) for additional requirements.
- E. **Federal, State and City Facilities:** Those facilities and lands owned, operated or protected by the U.S. federal government, state, or the City are exempted by law from all requirements of this article. Voluntary compliance with the intent of this article of those facilities is strongly encouraged.
- F. **Holiday Lights:** Low wattage outdoor lighting fixtures for traditional holiday decorations; except for floodlights or spotlights.
- G. **Landscape Lighting:** Landscape accent lighting consisting of low voltage light fixtures and/or incandescent bulbs under thirty-five (35) watts are exempt provided they are shielded.
- H. **Special Event Lighting:** Outdoor lighting associated with a use in which a Special Event Permit must be obtained from the City of Eloy. Such special events shall include, but not be limited to, any fair, parade, march, procession, festival, street dance, circus, carnival, concert, performance, rodeo, race, Christmas tree sales lot or another temporary activity using outdoor spaces and inviting public participation and patronage (with or without charge) whether held on public or private property.

4.5.5 GENERAL REQUIREMENTS

A. Preferred Light Sources

Due to their high energy efficiency, long life, and spectral characteristics, **low pressure sodium** and narrow spectrum amber LED lamps are the preferred light sources for minimizing adverse effects to the enjoyment of private property and on astronomical observations. However, other light sources such as high-pressure sodium, incandescent, and fluorescent lighting are also permitted.

B. Prohibited Light Sources

1. **Mercury Vapor Lamps** - The installation, sale, offer for sale, lease or purchase of any mercury vapor lamp for use as outdoor lighting is prohibited. The use of legal, non-conforming mercury vapor light fixtures (installed prior to 1983) is prohibited after January 1, 2011, as per ARS 49-1104.
2. The installation of metal halide or **quartz halogen** lamps, light sources or fixtures.
3. **Laser Light Sources:** The use of laser source light or any similar high intensity light for outdoor advertising or entertainment, when projected above the horizontal ground plane is prohibited.
4. **Searchlights:** The operation of searchlights for purposes other than emergency conditions is prohibited.

5. Light Standards (Poles): The installation of poles over twenty feet (20') in height and/or having more than two (2) light fixtures per pole; except for recreational fields.
6. Signage: Bottom mounted outdoor light fixtures for any advertising sign lighting is prohibited.
7. Security Lighting: Dusk to dawn lights are prohibited. Unshielded wall pack type fixtures are prohibited.
8. Landscaping: Unshielded floodlight or spot light fixtures are prohibited.
9. Floodlighting: Building mounted floodlights used for area lighting and or yard security lighting is prohibited unless the floodlight fixture is fully shielded, directed downward, and does not cause or create spill lighting.
10. Temporary: Any temporary lighting that violates the provisions of this article.

C. Total Outdoor Light Output

1. Total Outdoor Light Output, (excluding interior building lighting and streetlights and pedestrian lighting used to illuminate public rights-of-way) shall not exceed the following lumens per acre

| Table X: Maximum Total Light Output Standards | | | |
|--|---|---|---|
| | Land Use Categories | | |
| | Single Family Residential Detached (lumens per parcel including accessory structures) | Single Family Residential Attached, Multiple Family (lumens per parcel) | Commercial and Industrial (lumens per net acre) |
| Total (shielded + unshielded) | 10,000 | 50,000 | 100,000 |
| Maximum Unshielded Component | 4,000 | 5,000 | 10,000 |
| Maximum Color Correlated Temperature (CCT) Rating per individual light source* | 3,000K | 3,000K | 3,000K |

*This represents the maximum CCT levels permitted. Lower CCT levels are encouraged.

2. Fully shielded light fixtures located within open parking garages, or located under canopies, building overhangs, or roof eaves, where all parts of the light fixture are located at least five (5) feet, but less than ten (10) feet from the nearest outdoor opening, canopy, or overhang edge shall only contribute towards twenty-five percent (25%) of the lumen outputs for said luminaire/light source.
3. Fully shielded light fixtures located within open parking garages, or located under canopies, building overhangs, or roof eaves, where all parts of the light fixture are located at least ten (10) feet from the nearest outdoor opening, canopy, or overhang edge shall only contribute towards a maximum of ten (10) % of the lumens outputs for said luminaire/light source.

D. Shielding

All outdoor luminaires or fixtures, except those exempt from this article, shall be fully shielded in accordance with the provisions of this Ordinance, or in association with current Illuminating Engineering Society of North America (IESNA) guidelines. Light sources that must be shielded shall be shielded in a manner that the bulb or light source from the fixture is not at all visible from an adjoining property or from the street view when viewed horizontally to the fixture.

E. Non-Residential Lighting

The following standards apply to outdoor lighting of all non-residential zoning districts and/or uses unless exempt, as per Section 4.5.4 of this Ordinance:

1. **Mounting Height:** The height of any exterior fixtures shall not exceed twenty (20) feet from finished grade.
2. **Light Trespass:** Luminaires shall be designed and installed so as not to create conditions of light trespass on any adjacent property. All outdoor light fixtures shall be directed downward and shall be fully shielded. Outdoor light fixtures shall be directed away from any residential property and shall not detract from driver visibility on adjacent streets. Spill light from any fixture shall be minimized and shall not spill beyond the property line on which the fixture is located.
3. **Shielding:** Luminaires shall be fully shielded and/or aimed downward to reduce the formation of skyglow.
4. **Color:** The rated Correlated Color Temperature (CCT) of light sources shall not exceed 3000K.
5. **Curfew:** All outdoor lighting shall be extinguished at 10:00 PM, or within one hour of the close of business or end of normal operating hours of a facility, whichever is later in the day.
6. **Wall Packs:** The use of unshielded wall pack luminaires in any application is prohibited.
7. **Safety/Security Lighting at Building Entrances:** In ~~commercial~~ non-residential districts, within a fifteen-foot (15') radius of the entry door, there shall be the inclusion of a lighting fixture to distinguish the building entrance. Within the commercial, industrial and airport overlay zoning districts, building or wall mounted fixtures shall be fully shielded and shall not exceed a mounting height of ten feet (10') or a height equal to one-third (1/3) the height of the building wall on which they are mounted, whichever is greater; except that a fully shielded light fixture may be mounted above a bay door or hangar door. The maximum height of lighting standards (poles) used for security purposes, excluding parking lot lighting, shall be twelve feet (12').
8. **Parking Lot Lighting:**
 - a. Within non-residential zoning districts, the maximum height of parking area lighting standards (poles) shall be twenty feet (20') within the interior of the parking area and sixteen feet (16') at or along the perimeter of the parking area. If the parking area abuts a residential zoning district, the maximum height of the lighting

standards (poles) shall be sixteen feet (16') within the interior of the parking area and twelve feet (12') at or along the perimeter of the parking area.

- b. The use of short bollard style shielded light fixtures may be considered in lieu of overhead lighting for parking lot lighting in residential neighborhoods or residentially zoned property.
- c. All parking area lighting, serving commercial businesses, shall be turned off one-half (1/2) hour after the close of the business(es) that the parking area serves or as required for the safety of the employees leaving the business.

9. **Outdoor Signage:** All exterior lighting fixtures used to externally illuminate an outdoor advertising sign shall be internally lit within a cabinet or mounted on the top of the sign structure, and fully shielded and directed downward.

F. Residential Lighting

The following standards apply to outdoor lighting of all residential zoning districts and/or uses unless exempt, as per Section 4.5.4 of this Ordinance:

- 1. **Mounting Height:** Exterior fixtures shall be mounted in or on a building wall not to exceed eight feet (8') above finished grade and shielded in such a manner as to avoid creating concentrated light (hot spots) on the structures to which they are mounted.
- 2. **Light Trespass:** Luminaires shall be designed and installed so as not to create conditions of light trespass on any adjacent property. All outdoor light fixtures shall be directed downward and shall be fully shielded. Outdoor light fixtures shall be directed away from any residential property and shall not detract from driver visibility on adjacent streets. Spill light from any fixture shall be minimized and shall not extend beyond the property line on which the fixture is located.
- 3. **Shielding:** Luminaires shall be fully shielded and/or aimed downward to reduce the formation of skyglow. Residential dwellings may install partially shielded light fixtures such as sconces but only at the garage and primary entryway. The application of lighting to architectural features, such as but not limited to, building facade lighting, shall be minimized with all light directed downward away from adjacent lots, streets, and open spaces.
- 4. **Color:** The rated Correlated Color Temperature (CCT) of light sources shall not exceed 3000K.
- 5. **Light Output:** The light output of exterior lighting shall be limited to 1000 lumens per luminaire, unless fully shielded.
- 6. **Safety/Security Lighting:** In residential zoning districts, building or wall mounted fixtures are fully shielded and shall not exceed a mounting height of ten feet (10'). In residential zoning districts, security lighting must be controlled separately from all other lighting with the security lights controlled by timers that regulate their operation time to a maximum of ten (10) minutes and limited to lamps with a maximum of seven hundred fifty (750) lumens.

Motion sensor/detector light fixtures, that are fully shielded, are the preferred type for security lighting.

7. **Parking Lot Lighting:** Within the multiple residence zoning districts, lighting standards (poles) located within the parking areas shall be limited to a maximum height of twelve feet (12'). Motion sensor/detector light fixtures are encouraged to be placed under the parking shade canopy, if such canopies are proposed, to provide both security and parking area lighting.
8. **Outdoor Signage:** All exterior lighting fixtures used to externally illuminate an outdoor advertising sign shall be internally lit within a cabinet or, if mounted on the top of the sign structure, shall be fully shielded and directed downward.

G. Recreational and Athletic Field Lighting

Lighting of any outdoor recreational or athletic field, court, track or range is exempted from the provisions of this Ordinance, provided it meets all of the following conditions:

1. **Class of Play:** Lighting, in all cases, for outdoor events, athletic fields, courts, pools, tracks or ranges shall be designed in accordance with the lighting types, specifications and illuminance targets of the IESNA.
2. **Off-site impacts:** Every reasonable effort must be undertaken to limit the impact of recreational or athletic lighting to the formation of skyglow and light trespass through proper shielding and aiming of luminaires.
3. **Curfew:** All lighting associated with recreational or athletic facilities shall be fully extinguished within one (1) hour of the end of play or 10:00 PM, whichever is later.
4. **Non-field lighting:** All site lighting not directly illuminating the field, court, track or range where play occurs shall conform to the applicable requirements of this Ordinance.

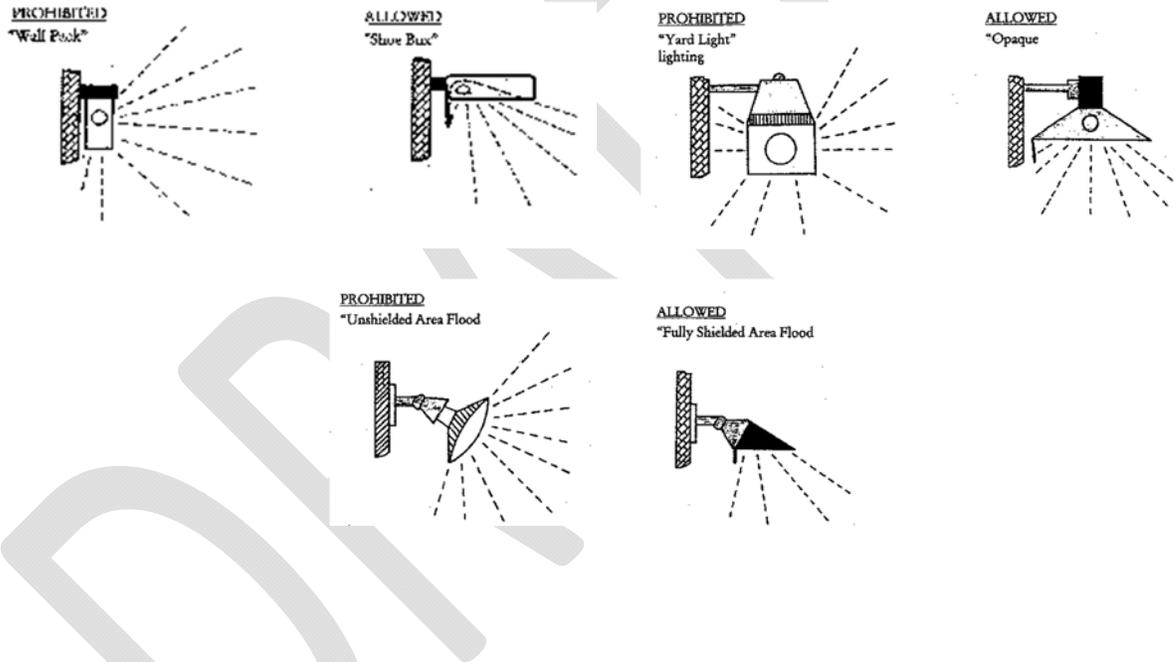
H. Architectural/Landscape Lighting

Architectural lighting used to illuminate the wall or other feature of a building or landscape lighting used to illuminate trees or other landscape elements is permitted subject to the following:

1. Short bollard style partially shielded light fixtures or low wattage string lighting of specimen trees is preferred to that of building mounted lighting.
2. Architectural and/or landscape lighting is not permitted to be directed upward towards a building or landscape feature.
3. Architectural and/or landscape lighting that is directed downward shall be included in the calculation for Maximum Total Outdoor Light Standards in **Table X**.
4. All outdoor ambient lighting fixtures shall be turned off one-half (1/2) hour after the close of the business or as required for the safety of the employees leaving the business.

4.5.6 DESIGN STANDARDS

- A. All light fixtures shall be "fully shielded" fixtures that minimize light trespass and skyglow (greater than 90 degrees) becoming nuisance lighting on adjacent/ neighboring property, creating "hot spots" on the structures to which they are mounted, and light pollution to the neighborhood and community. Recessed lights in exterior soffits, eaves, or ceilings shall have a forty-five degree (45°) cutoff.
- B. Fixtures shall be directed downward and properly aimed on the targeted areas to maximize their effectiveness and minimize the total number of lighting fixtures.
- C. The following illustrations exemplify the more basic styles of lighting fixtures and are for illustrative purposes only. Fixtures and/or fixtures similar to those labeled as prohibited are prohibited by this article.



4.5.7 NON-CONFORMING LIGHTING:

- A. All existing outdoor lighting that was legally installed before the effective date of this ordinance (and that does not conform with the provisions of this article) shall be considered non-conforming. Non-conforming outdoor lighting is allowed to remain until required to be replaced pursuant to the terms of this section.

- B. Luminaires and lighting installations that do not conform to the provisions of this ordinance, as of its effective date, shall be allowed to remain in a non-conforming state until seven (7) years from the effective date, at which point they must be brought into conformance.
- C. In the event that the use of a non-conforming outdoor luminaire is discontinued for six (6) months or is damaged to the point of requiring repairs for safe operation, the repaired or replacement luminaire shall comply with the provisions of this ordinance.
- D. After seven (7) years, from the effective date of this ordinance, all non-conforming luminaires and installations shall immediately be brought into conformance upon a registered written complaint.
- E. All non-conforming luminaires and lighting installations shall be brought into conformance upon replacing a failed lamp or performing any significant maintenance or upgrade to the luminaire, or expansion of the lighting installation.

4.5.8 PROCEDURES FOR COMPLIANCE

- A. Time Limitations: When an application for a change in use, an expansion, modification, or structural alteration to a building or site that has existing legal nonconforming outdoor lighting is submitted to the City, all exterior lighting fixtures shall be brought into conformance with the provisions of this section at the time of permit issuance.
- B. Application:
 - 1. Any individual applying for a building or use permit under the City regulations intending to install outdoor lighting fixtures shall, as a part of said application, submit evidence that the proposed lighting will comply with this section.
 - 2. All other individuals intending to install outdoor lighting fixtures shall submit an application to the Building and Safety Division providing evidence that the proposed work will comply with this article. Landscape lighting or decorative lighting consisting of low voltage light fixtures and/or incandescent bulbs under thirty-five (35) watts may be exempt from the requirements of this subsection.
- C. Contents of Application: The application shall contain, but shall not necessarily be limited to, the following information:
 - 1. Plans indicating the proposed luminaire location on the building and the site (if applicable), and the height of the standard (pole), type of illuminating devices, fixtures, lamps, supports, other devices, the aiming angles, and a statement of the proposed hours when the luminaries will be on and when they will be extinguished.
 - 2. Manufacturer's catalog cut sheets and drawings that describe the illuminating devices, fixtures, lamps, lumen outputs and wattages, supports, and other devices, etc.
 - 3. For commercial and industrial uses and for all lighted parking lots, a photometric analysis that includes a lumens/foot candle grid (a minimum of

10 foot between each grid point) that demonstrates adequate intensities and uniformity as well as the maximum lighting intensity (at 5'6" eye illumination levels) as measured at the property lines.

- D. Issuance of Permit: Upon compliance with the requirements of this article, the Building and Safety Division shall issue a permit for installation of the outdoor lighting fixtures, to be installed per the approved application. In the event the application is part of a building permit application, the issuance of the building permit will be granted if the applicant is in complete compliance with this section as well as other pertinent laws and regulations.
- E. Amendment to Permit: Should the applicant desire to substitute outdoor light fixtures or lamps after a permit has been issued, the applicant must submit all changes to the Building and Safety Division for approval, with adequate information to assure compliance with this section.

4.5.9 DEFINITIONS

Color Correlated Temperature (CCT): The temperature of an object (blackbody radiator) in degrees Kelvin that gives the most similar color (spectral) distribution. Higher CCT usually shifts frequency to the blue. The CCT value of lamps is now usually included in all packaging.

Curfew: A time established for listed lighting systems to be automatically extinguished.

General Lighting: Lighting used for general illumination.

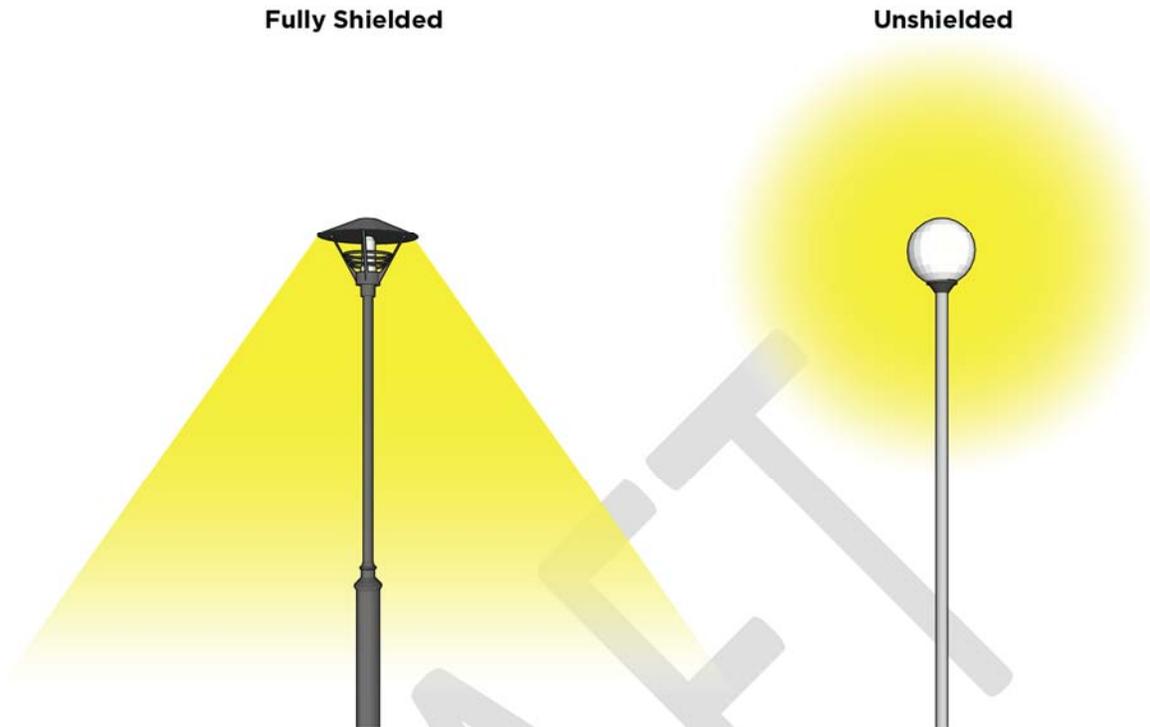
Direct Illumination: Illumination resulting from light emitted directly from a luminaire, not light diffused through translucent signs or reflected from other surfaces such as the ground or building faces.

Display Lot or Area: Outdoor areas where active nighttime sales activity is the primary business function, and where accurate color perception by customers is required.

Foot-Candle: is a unit of measure for quantifying the intensity of light falling on an object. A foot-candle is a traditional unit of photometry based on the English system of measurements. A foot-candle equals 1 lumen per square foot. A full moon is approximately 1/100 of one footcandle.

Fossil Fuel Light: Light produced directly or indirectly by the combustion of natural gas or other utility type fossil fuels.

Fully Shielded Luminaire: An outdoor luminaire shielded in such a manner that all light emitted by the luminaire, either directly from the lamp or indirectly from the luminaire, is projected below the horizontal plane as determined by photometric test or certified by the manufacturer. The following example shows a correctly installed fully-shielded luminaire that is aimed downward and emits no light above the horizontal plane, as opposed to an unshielded luminaire, which is also illustrated:



Glare: The sensation produced by a bright light source within the visual field that is sufficiently brighter than the level to which the eyes are adjusted, causing discomfort and/or loss in visual performance visibility.

High Intensity Discharge Lamps: A family of gas-discharge arc lamps which create light by sending an electrical discharge between two electrodes and through a plasma, or ionized gas. The major types of HID lamps include mercury, sodium and metal halide.

IESNA: Illuminating Engineering Society of North America.

Illuminance: The amount of light falling onto a surface area, measured in footcandles (lumens per square foot) or lux (lumens per square meter). For conversion purposes, 1 footcandle (fc) is equal to 10.76 lux (lx).

Installed Lighting: Attached, or fixed in place, whether or not connected to a power source.

Light Emitting Diode (LED): A semiconductor that emits light when electrical current passes through it. Many cities are changing high intensity discharge (HID) lamps street lights to LED due to higher efficiency and lower maintenance costs.

Light Pollution: Any adverse effect of manmade light including, but not limited to, discomfort to the eye or diminished vision due to glare, light trespass, up lighting, the uncomfortable distraction to the eye, or any manmade light that diminishes the ability to view the night sky.

Light Trespass: Stray electric light falling where it is not wanted or needed. Direct light that has its source on one site, and directly illuminates areas beyond the property boundaries. Light trespass is typically produced by stray light from unshielded or misdirected outdoor lighting, and includes glare from direct viewing, as well as “off-site spill” light.

Lumen: The unit used to measure the actual amount of light which is produced by a lamp. Lumen output of lamps is listed on the product packaging.

Luminaire: The complete lighting assembly, less the support assembly. Multiple unshielded or full cutoff lamps on a single pole or standard, shall be considered as a single unit, for purposes of determining total light output from a luminaire lighting assembly. Two or more units with lamps less than three (3) feet apart shall be considered a single luminaire.

Nits: The unit of luminous intensity and is measured in candela per square meter. A computer screen in a dark room has approximately 200 nits.

Opaque: Opaque means that the material shall not transmit visible light.

Outdoor Light Fixture: An outdoor illuminating device, outdoor lighting or reflective surface, lamp or similar device, permanently installed or portable, used for illumination or advertisement. Such devices shall include, but are not limited to:

1. street lighting;
2. parking lot lighting;
3. building and structural lighting;
4. landscape lighting;
5. recreational lighting;
6. billboards and other signs (advertising or otherwise);
7. product display area lighting;
8. building overhangs and open canopies;
9. security lighting;
10. searchlight, spotlight, flood lights, and laser lights.

Outdoor Light Output, Total: The total amount of light, measured in lumens, from all outdoor light fixture lamps, is calculated as follows:

1. For lamp types that vary in light output as they age, the mean lumen output, as defined by the lamp manufacturer, shall be the lumen value used.
2. The total light output of each outdoor light fixture shall be based on the largest lamp that the outdoor light fixture is rated to accommodate. For the purpose of compliance with this section, the largest lamp rating for fluorescent and high intensity discharge fixtures shall be based on the installed ballast rating.

Outdoor Recreation Facility: An area designed for active recreation, whether publicly or privately owned, including, but not limited to: baseball, soccer, football, golf, tennis, swimming pools, and race tracks of any sort.

Photometric Study: Simulated lighting design and analysis to determine if a proposed lighting plan will meet the City specifications and requirements for outdoor lighting.

Safety Lighting: Low level lighting used to illuminate vehicular and pedestrian circulation.

Security Lighting: Lighting that is fully shielded that is intended to provide bright illumination during emergency situations only.

Skyglow: The undesirable and unnecessary emission of light ray, directly or indirectly, into the night sky and commonly noticed aspect of light pollution.

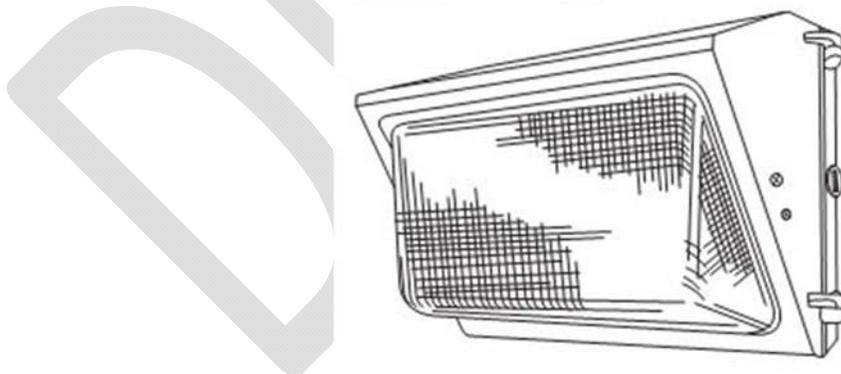
Temporary Lighting: Lighting intended for uses which, by their nature, are of limited duration; for example, holiday decorations, civic/cultural events, or construction projects.

Translucent: Admitting and diffusing light so that objects and the light source beyond cannot be clearly perceived.

Uplighting: Fully shielded lighting that is directed in such a manner as to shine light rays above the horizontal plane.

Visual Enjoyment Lighting: Lighting intended to illuminate outdoor living areas.

Wall Pack: Any luminaire mounted flush against a wall or similar surface designed to transmit light across a large ground area. An example of a wall pack is shown below:



City of Eloy

Zoning Ordinance & Subdivision Regulations Update

Module 5: Definitions
January 2018

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SECTION 9 - DEFINITIONS

Abandoned: Any building, structure or real property that is vacant or occupied by a person without a legal right of occupancy, and/or subject to a current notice of default and/or notice of trustee's sale, pending tax assessor's lien sale and/or any real property conveyed via a foreclosure sale resulting in the acquisition of title by an interested beneficiary of a deed of trust, and/or any real property conveyed via a deed in lieu of foreclosure/sale.

Abut, Abutting: To share, border or physically touch a common boundary, property line or right-of-way.

Access: The place, means or ways by which pedestrians, vehicles or both shall have safe, adequate and usable ingress and egress to a property or use. A private access is an access not in public ownership and controlled by means of a deed, dedication or easement.

Accessible Parking Space: A parking space that meets the requirements of applicable state and/or federal disabilities acts, whichever is the most permissive

Accessory Building: A secondary detached building, situated on the same parcel or building site, the use of which is customarily incidental to that of a principle use of the existing/proposed main building.

Accessory Dwelling Unit: A dwelling unit situated on the same lot with, and of a nature normally incidental and secondary to, the principle structure or use that includes any structure or portion of a structure, other than the principle structure or use, wherein kitchenette facilities and/or provisions for sanitation (shower, tub and/or water closet) are provided.

Accessory Use: A subordinate use of a building, other structure, or land that is clearly incidental to the use of the primary building, other structure, or use of the land and is conducted on the same lot with the primary building, other structure or use of land.

Acre: A unit of measure for land area containing 43,560 square feet.

Acre, Net: The land area (acres) within the perimeter of a parcel or lot, excluding all dedicated arterial and collector street rights-of-way.

Acre, Gross: The land area (acres) within the perimeter of a parcel or lot, including all non-dedicated streets, alleys, private roadways and/or alley easements, and canal and/or irrigation easements.

Addition: An extension or increase in floor area or height of an existing building or structure.

Adjacent: The condition of being near to or close to but not necessarily having a common dividing line. Two (2) properties which are separated by only a street or alley shall be considered as adjacent to one another.

Adjoining: The condition of being near to or close to but not necessarily having a common dividing line. Two (2) properties which are separated by only a street or alley shall be considered as adjoining one another.

Administrative Decision: Any allowable decision made by an authorized City employee as identified in this chapter.

Adult Oriented Use: Which shall include any or all of the following:

Adult Book Store: A commercial establishment, having for sale or viewing by patrons on its premise, a substantial and significant portion of its stock in trade, books, magazines and other periodicals or printed matter principally characterized by their emphasis on matters depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas.

Adult Cinema: An enclosed building or open-air theater used on a regular basis to present, for observation by customers, pictorial material or other visual images by direct or indirect projections, or through coin or slug operated or electronically or mechanically controlled still or motion picture, videotape machines or other image-producing devices maintained to show images or material, a predominance of which is principally distinguished or characterized by an emphasis on the depiction of Specified Sexual Activities or Specified Anatomical Areas, in return for the exchange of any form of consideration, irrespective of the number of patrons who may be able to view the presentation at any one time.

Adult Hotel or Motel: A hotel or motel which provides, as a predominant part of its major business, the presentation of material for viewing by patrons in exchange for any form of consideration or gratuity; material which is predominantly distinguished or characterized by an emphasis on matters depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas and which rents any portion of its facilities on an hourly or less than nightly basis.

Adult Live Entertainment Establishments: An establishment that offers live entertainment where patrons may view "specified anatomical areas". Such establishments feature the female and/or male human form in any state of undress engaging in any Specified Sexual Activities. **Adult Only Massage Establishment:** A business that provides any service or massage or body manipulation, including, but not limited to, exercises and heat and light treatments of the body, and all forms and methods of therapy and which regularly excludes all minors.

Adult Oriented Business: Any business establishment where employees, independent contractors or patrons expose specified anatomical areas or engage in or simulate specified sexual activities, or any business establishment which offers to its patrons services or entertainment distinguished or characterized by an emphasis on matters depicting, exposing, describing, discussing, or relating to Specified Sexual Activities or Specified Anatomical Areas. The businesses may include, but are not limited to, Adult Live Entertainment Establishment, Adult Only Massage Establishment, Adult Theater, and Adult Retail Establishment.

Adult Retail Establishment: A commercial establishment which as one of its principle business purposes, offers for sale or rental, for any form of consideration, any one or more of the following:

- A. Merchandise with a predominant emphasis on the display, depiction, description, or relation to Specified Sexual Activities or Specified Anatomical Areas. Merchandise includes, but is not limited to, motion pictures, audio and/or videocassettes, digital video disks (DVDs) and similar technology, films, books, magazines, posters, cards, pictures, periodicals, instruments, devices, equipment, paraphernalia, or other similar products.
- B. A commercial establishment may have other principle business purposes that do not involve the offering for sale or rental of the above listed items and still be categorized as an adult retail establishment. Such other business purposes will not exempt such commercial establishment from being categorized as an adult retail establishment so long as one of its principle business purposes is offering for sale or rental for consideration the above listed items.
- C. Primarily excludes all minors from the premises or section thereof because of the sexually explicit nature of the items sold, rented, or displayed therein.

Adverse Impact: A negative consequence for the physical, social, or economic environment resulting from an action, use, or development.

Agribusiness, Entertainment Farming: A commercial, service and/or industrial use operated primarily for the direct support of agricultural activities. It may consist of agricultural equipment sales rental and sales; the storage, warehousing, transportation & distribution and wholesaling of agricultural products; agricultural research, development, management and maintenance services conducted primarily within an office setting; agri-entertainment, such as pick-your-own produce operations, pumpkin patches, corn mazes, farm stores, agricultural festivals, and educational activities; and other similar agriculture related uses.

Agricultural Animals: The following lists animals, other than household pets, that are considered agricultural animals accessory to an agricultural use, whether kept and maintained for production and sale, family food production, education or for personal enjoyment. Agricultural animals are classified as large and small animals. Swine and potbelly pigs will not be permitted in any district. Examples of the types of animals in the different categories include, but are not limited to:

- A. Large animals: horses, burros, donkeys and mules, miniature horses, cattle, sheep, goats, llamas, and ratites.

B. Small animals: rabbits, chinchillas, and poultry.

Agricultural Building: A structure designed and constructed to store farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place used by the public.

Agriculture, General - The use of land for agricultural purposes, where growing and harvesting activities associated with horticulture, floriculture, viticulture, apiaries, aviaries along with necessary accessory uses (such as greenhouses, incidental raising of agricultural animals, or the storage of agricultural related equipment used on the premises and temporary storage of agricultural products used and/or produced on the premises.) takes place; provided, however, that the operation of any such accessory use shall be secondary to that of the normal agricultural activities. General agriculture uses may or may not be owner-occupied and may utilize employees who are not owners or related by name to the owners. This use does not include: dairies, commercial animal breeding, concentrated animal feeding operations (CAFO), slaughter and meat packing plants, or fertilizer yards.

Airport Hazard: Any structure or object, man-made and/or natural, located on or in the vicinity of an airport; or any use of land near such airport which obstructs the air space required for or impedes or is otherwise hazardous to, any aircraft in flight, approach/landing or take-off operation.

Airport Master Plan: The Master Plan for the Eloy Municipal Airport as updated and adopted from time to time by the Airport Advisory Board and City Council.

Airspace: An area from the ground up within the general operation area of an airport.

Aisle, Parking: The travel way by which cars enter and depart parking spaces.

Alcoholic Beverages, Retail Sales: A retail establishment, such as but not limited to a liquor store, licensed to sell alcoholic beverages such as beer, wine, and liquor. No on-site consumption is allowed.

Alleyway: A public or private thoroughfare, other than a street, which affords a secondary means of vehicular access to abutting property and not intended for general vehicular traffic circulation.

Allowed Use: A use of land identified by **Section X** as a permitted or conditional use, subject to compliance with all applicable provisions of this Zoning Ordinance.

Alteration: Any change, addition or modification that alters the exterior architectural appearance or materials of a structure or object. Alteration includes changes in exterior surfaces, changes in materials, additions, remodels, demolitions, and relocation of buildings or structures, but excludes ordinary maintenance and repairs.

Alternative Tower Structure: Any clock or bell towers, church steeples, chimneys or stacks, elevators, light poles, power poles and similar alternative design mounting structures that camouflage or conceal the presence of antennas or towers.

Amateur Radio Tower: A freestanding or building mounted structure, including any base, tower or pole, antenna and appurtenances, intended for airway communication purposes by a person holding a valid amateur radio (HAM) license issued by the Federal Communications Commission (FCC).

Amendment: A change in the wording, application, or substance of this chapter, or an addition or deletion or change in the zoning district boundaries or classifications of the zoning map.

Animal Hospital/Veterinarian: A facility used by one or more licensed veterinarians to provide medical services to household pets (e.g., dogs, cats, rabbits, iguanas, etc.) and/or a facility where pets are provided general hygienic and similar care using non-prescriptive over-the-counter supplies. Does not include overnight boarding of animals that are not under medical care.

Animal Kennel/Shelter: An enclosed building where four or more dogs over the age of three (3) months are boarded, bred, or offered for sale. A facility that accepts and/or seizes domestic animals for overnight boarding, care, adoption, or related to law enforcement activities. A zoo, pet store, veterinary clinic, animal hospital, and animal husbandry are not considered a kennel.

Animal Training School: A facility that specializes in the training of Household Animals.

Animal Unit (AU): A unit of measurement for farm, ranch, dairy and poultry operations used to determine the total number of specific animal types or combinations of animal types that may be permissible pursuant to the guidelines of this chapter. An animal unit (AU) is approximately equivalent to one thousand (1,000) pounds of live animal weight. The following scale will be used to calculate total animal units:

- A. One slaughter and feeder cattle equates to 1 AU.
- B. One dairy cattle (whether milked or dairy cows) equates to 1.5 AU.
- C. One horse, mule, or donkey equates to 1.0 AU.
- D. One sheep, lamb, or goat equates to 0.25 AU.
- E. One poultry equates to 0.02 AU.
- F. One ratite equates to 0.33 AU.
- G. One miniature horse, sheep or goat equates to 0.20 AU.
- H. Other agricultural animals, not listed above, on a case by case basis.

Animals, Household: Dogs, cats, birds, reptiles, rabbits, and amphibians which are commonly kept as pets and whose primary value is personal enjoyment which shall not be raised for breeding or commercial purposes and which shall be limited to species whose presence in the neighborhood does not arouse unusual community interest or curiosity sufficient to attract the community residents to a specific neighborhood.

Antenna: Any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiates or captures electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunication signals, or other communication signals.

Applicant: Any person applying for any permit, approval or decision governed or required by this Ordinance.

Arboretum or Botanical Garden: A public or private facility for the demonstration and observation of the cultivation of flowers, fruits, vegetables, Sonoran Desert or ornamental plants. Permitted accessory uses include gift shops, cafes, snack bars, and parking.

Archeologically Significant: A site which has revealed, or has the potential of revealing, important information regarding the lifestyles of prehistoric peoples and/or cultures which occupied the City and surrounding region in prehistoric and/or historic times.

Architectural Feature: The design and/or construction technique and elements or combination of elements that are the character: defining features of a structure.

ARS: The abbreviation for the Arizona Revised Statutes.

Art, Public: Objects such as sculpture, water features or other multidimensional static or motionable designs that would be viewed by the general public as an attractive amenity in a private or public development. Such object(s) shall be located in spaces visible and/or accessible to the public in general to maximize their viewing enjoyment. These objects are not to be identified as a component of a particular business or organization.

Articulation: The visible expression of architectural elements through form, structure or materials that creates a human scale of building planes, achieving visual variation.

Assembly Hall/Auditorium/Conference Center: A building or structure, or group of buildings or structures, that may or may not be rented for organized short-term events such as weddings, receptions, and conferences. Additional components may include meeting rooms, kitchen facilities for the preparation of food to be consumed on the premises, parking, and childcare provided for persons while they are attending assembly functions. Schools associated with assembly uses are not an accessory use.

Assembly, Light: An enclosed building only engaged in the assembly of goods on the premises of the parcel. No manufacturing shall occur on the parcel. Goods are shipped to the establishment, assembled, packaged, and reshipped. Assembly and packaging involves only the use of hand tools or domestic mechanical equipment not exceeding two (2) horsepower or a single kiln not exceeding eight kilowatts. Typical light assembly uses include ceramic studios and custom jewelry manufacturing.

Assessed Value: The financial worth assigned to property by taxing authorities that is used as a basis or factor against which the tax rate is applied.

Assisted Living Center: A residential care institution that provides resident rooms or residential units for the housing of, and caring for, the ambulatory, aged or infirm; other than a nursing home, group home, or hospital; licensed by the Arizona State Department of Health Services for more than eleven (11) persons in a residential setting. Care givers are present at all times, and may (or may not) reside at the site. Facilities typically include common kitchen and dining areas, but may contain individual kitchenettes for residents.

Assisted Living Home: A dwelling unit shared for the housing of, and caring for, the ambulatory, aged or infirm; other than a nursing home, group home, or hospital; licensed by the Arizona State Department of Health Services for no more than ten (10) persons excluding staff in a residential setting. Caregivers are present at all times, and typically reside at the site.

Attached Building: Any structure sealed from the external environment with a permanent slab foundation and architecturally integrated with the main structure.

Attention Getting Device: A device designed or intended to attract attention by noise and/or a sudden, intermittent or rhythmic movement, physical change or lighting change, such as banners, flags, streamers, balloons, propellers, whirligigs, search lights and flashing lights.

Auctions, Indoor: A completely enclosed facility where property is received from willing persons or businesses, when such property is to be sold to third parties, by auction, either publicly or privately, whether for cash, property or other consideration, inside the primary structure. Outdoor storage is allowed as an accessory use, if completely screened.

Authority Pole:

- A. A utility pole, other than a utility pole for designated services, that is owned or operated by an authority and that is in a right-of-way, including a utility pole that provides lighting or traffic control functions such as light poles, traffic signals and structures for signage.
- B. A pole or similar structure that is owned or operated by an authority, that is in a right-of-way and that supports only wireless facilities.

Auto Wrecking and Salvage Yard: Any lot upon which two (2) or more motor vehicles of any kind, which are incapable of being operable due to condition or lack of license or registration, have been placed for the purpose of obtaining parts for recycling or resale.

Automobile Service Station: A building and improvements consisting of pumps and storage tanks or other facilities from which gasoline, diesel or alternative fuels are dispensed into motor vehicles. Indoor retail sales of food and non-food items are a permitted accessory use.

Automobile Rentals: Rental of automobiles, including storage and incidental maintenance.

Automobile Repair, Major: The service and repair of automobiles, trucks, motorcycles, motor homes, and recreational vehicles, including the sale, installation, and servicing of related equipment and parts, generally on an overnight basis. This classification includes auto engine repair shops; body, hull and fender shops, transmission shops, restoration, refurbishing, but excludes auto/boat dismantling or salvaging and tire re-treading or recapping.

Automobile Repair, Minor: The service and repair of automobiles, light-duty trucks, and motorcycles, including the sale, installation, and servicing of related equipment and parts. This classification includes quick-service oil, tune-up, wheel and brake shops, muffler shops, auto glass services, propeller service, battery replacement and tire sales and installation, where repairs are made or service provided in enclosed bays and no vehicles are stored overnight. This classification excludes establishments providing engine repair, body, hull and fender work, vehicle painting, or towing. It also excludes the repair of heavy trucks, construction vehicles, or boats that exceed nine (9) feet in width by thirty (30) feet in length.

Automobile/Boat Sales and Leasing: The sale or leasing of automobiles, motorcycles, trucks, motor homes and boats, including storage and incidental maintenance.

Avigation Easements: A document acknowledging airport proximity, limiting the height of structures and granting permission for the conditions arising from the overflight of aircraft in connection with the operation of an airport.

Awning: A roof like cover, often of fabric, metal or glass, designed and intended for protection from weather and providing shade, or as decorative embellishment, and which extends from a wall or roof of a structure over a window, walk, door or similar.

Balloon: A bag, measuring not more than eighteen (18) inches in diameter, made of thin rubber or other light material, usually brightly colored, inflated with air or with some lighter-than-air gas and used with flags and/or banners to attract attention for an event.

Bar, Lounge, or Tavern: A structure or part of a structure used primarily for the sale or dispensing, and on-site consumption of, alcoholic beverages or liquor by the drink, which may or may not serve food. Any facility providing both food and alcoholic beverages or liquor by the drink for on-site consumption that does not meet the definition of a restaurant shall be considered a bar, lounge, or tavern.

Barn: A structure used in conjunction with an agricultural use, which may include the housing of livestock and/or storage of agriculture related products and machinery.

Base Station: Wireless facilities or a wireless support structure or utility pole that currently supports wireless facilities. A Base Station does not include a tower as defined in 47 Code of Federal Regulations Section 1.40001(b)(9) or associated wireless facilities.

Basement: A space having one-half (1/2) or more of its floor to ceiling height below the average level of the adjoining ground and with a floor to ceiling height not less than six and a half (6 ½) feet.

Basin, Detention: A storm water storage facility that temporarily stores surface runoff and releases it at a controlled rate through a positive outlet.

Basin, Retention: A storm water storage facility that stores surface runoff. Stored water is infiltrated into the subsurface or released to the downstream drainage system or watercourse (via gravity outlet or pump), or evaporated after the storm event.

Bed and Breakfast, Homestay - A business in an owner-occupied principal building originally constructed as a single-family dwelling and/or reconstructed from a commercial building into a single-family dwelling that provides not more than four (4) guest rooms for occasional guests on a temporary basis with breakfast service being provided on premises.

Berm: A mound or embankment of earth.

Block: That property abutting one side of a street and lying between the two nearest intersections or intercepting streets on subdivided land.

Board: The City of Eloy Board of Adjustment.

Boarding/Shelter Care - A facility in which any of the rooms are provided or rented/leased to persons on a transient basis, but which does not include group homes, resident care homes, assisted living facilities, nursing homes, dormitories, alcohol/substance abuse detoxification centers or alcohol/substance abuse treatment centers.

Bogie: A subassembly of axles and wheels that supports a semitrailer, whether permanently attached to the frame (as on a single trailer) or consisting of the dolly, that can be hitched and unhitched as needed, when hitching up a second or third semitrailer.

Brewery or Distillery. A facility for the brewing/distilling and wholesale distribution of beer or distilled alcohol produced onsite, subject to State licensing.

Buffer: A landscaped area intended to separate and partially obstruct the view of two adjacent land uses or properties from one another.

Buildable Area: That portion of a lot upon which construction is permitted, consisting of an area of the lot which lies within the boundaries of the front, side and rear yard setback requirements.

Building Coverage: The ground floor area used by all principal and accessory buildings on a lot, tract or parcel of land.

Building Façade: An exterior building elevation.

Building Height: The vertical distance measured from the natural grade to the highest point of the coping of a flat roof, or to the highest point of a mansard roof, or to the highest gable of a pitch or hip roof.

Building Line: A line beyond which the foundation wall or any vertical structural support or other enclosed portion of a building shall not project. The front face of any service station pump shall be considered the building line.

Building Material Sales, Indoor Retail: An establishment for the sale of materials, hardware, and lumber customarily used in the construction of buildings and other structures, and where most display and sale of materials occurs inside the primary structure, such as home improvement stores and hardware stores. Enclosed outdoor storage is allowed as an accessory use. Examples include home improvement and hardware stores.

Building Material Sales, Outdoor or Wholesale: Outdoor sale of materials, hardware, and lumber customarily used in the construction of buildings and other structures, including facilities for storage.

Building Mounted Antenna: Any antenna that is attached to the walls of, or integrated into buildings or parapet walls.

Building Official: An employee of the City authorized to issue building permits and certificates of occupancy and to administer all applicable construction/building codes.

Building Permit: A permit issued by the City of Eloy that is required for the construction, modification or moving of any building, structure or use in the City of Eloy.

Building Setback Line: The required minimum distance, as prescribed by this Chapter, between the front, sides and rear property line(s) and the closest point of any building or structure.

Building, Principal: A building which contains the principal use of the lot on which it is situated. In any residential zone, any such dwelling shall be deemed to be a main building on the lot on which it is located.

Building: Any structure having a roof supported by columns or walls for the shelter, use, occupancy, or enclosure of persons, animals, or chattel or property of any kind, with the exception of dog houses, playhouses and similar structures.

Bus Terminal: Any premises for the transient housing or parking of motor-driven buses and the loading and unloading of passengers.

Business Services: Establishments that primarily provide goods and services to other businesses on a fee or contract basis, including printing and copying, blueprint services, advertising and mailing, office security, custodial services, and photo finishing.

Caliper: The diameter of a tree trunk as measured six (6) inches above ground level up to and including four-inch caliper size, and measured twelve inches above ground level if the trunk measurement taken at six inches above ground level exceeds four (4) inches. If a tree is of a multi-trunk variety, the caliper of the tree is the average caliper of all of its trunks, as measured six (6) inches above ground level.

Camper: A structure providing temporary sleeping and cooking facilities and designed for mounting on a motor vehicle chassis.

Campground: A parcel of land where two or more campsites are located, established, or maintained for occupancy by camping units of the general public, including recreational vehicles, or tents, as temporary living quarters for recreation, education, or vacation purposes.

Canopy: A structure made of cloth, metal or other materials with frames affixed to a building or carried by a framework which is supported by the ground.

Car Wash: A facility, coin operated, automatic, or hand wash, for the cleaning of automobiles, providing either self-serve facilities or employees to perform washing operations.

Caretaker Living Quarters, During Construction: A temporary living accommodation located on a lot where a building permit has been lawfully issued and construction has commenced on the principal, permanent building. Such quarters may be used for residential or sleeping purposes during construction and may occur in a trailer, motor home or mobile home situated on the lot under construction.

Caretaker Living Quarters, Agricultural: An accessory dwelling unit located on a lot only zoned RR-20 or RR-5 that is a subsidiary use to the principal dwelling unit situated on that same lot.

Caretaker Living Quarters, Dwelling Unit: A single-family dwelling unit accessory to an agricultural, professional, commercial or industrial principal dwelling unit for occupancy by the owner/caretaker.

Carnival(s): See “Special Event”.

Cargo Containers: A metal structure specifically constructed for the shipment of goods by ship, rail or truck that is later used as a facility to store goods and materials.

Carport: A roofed structure which may be attached or unattached to the principal structure providing space for the storage of motor vehicles, at least two (2) sides of which shall be at least fifty percent (50%) open. Enclosed storage facilities may be provided as part of a carport.

Cemetery: Land used or dedicated to the interment of human or animal remains, including columbaria, mausoleums, mortuaries, and associated maintenance facilities when operated in conjunction with, and within the boundaries of, such cemetery.

Centerline: The centerline established by the Public Works Director for any proposed or dedicated public way.

Certificate of Occupancy: A document issued by the Building Official allowing the occupancy or use of a building and certifying that the structure or use has been constructed or will be used in compliance with all the applicable codes of the City of Eloy.

Change of Use: Any use which differs from the previous use of a building or land.

Channel Letter: Individual letters constructed to be applied singularly in the formation of a Building Mounted Sign or a Freestanding Sign. Channel letters may be illuminated or non-illuminated.

Chassis: The base frame of a motor vehicle or other wheeled conveyance.

Check Cashing Facilities: See “Non-Chartered Financial Institutions”.

Child Care Home: A state certified facility, the primary use of which is a residence, in which child care for not less than five (5) children and not more than ten (10) children through the age of twelve (12) or adult day care for at least five (5) and not more than ten (10) adults is regularly provided for compensation for periods of less than twenty-four (24) hours per day. The following uses are not a Day Care Home: an Assisted Living Facility, Group Care Home, or Day Care, Home Occupation.

Child Care, Center: Any facility licensed by the Arizona State Department of Health Services in which care and supervision for five (5) or more persons is regularly provided for compensation for periods of less than twenty-four (24) hours per day. This classification includes nursery schools, preschools, day care for children or adults, and any other non-residential day care facility licensed by the State of Arizona.

Circulation Area: That portion of the vehicle accommodation area used for access to parking or loading areas or other facilities on the lot. Essentially, driveways and other maneuvering areas (but not the parking spaces themselves) comprise the circulation area.

Circus: See “Special Event”.

City: The City of Eloy, Arizona.

Civic Organization: A group of people who join together for the purpose of servicing a public or mutual benefit other than the pursuit or accumulation of profits for its owners or investors.

Clinic: An establishment where patient care is administered on an out-patient basis by one (1) or more licensed physicians and/or dentists and their professional associates.

Cluster Development: A development design technique that concentrates buildings in specific areas on a site to allow the remaining land to be retained as natural open space for the preservation of sensitive lands, parks, and public open space areas.

Coffee Shops/Cafes: Establishments that primarily serve nonalcoholic beverages, such as coffee, juices, or sodas for consumption, on or near the premises, or a specialty snack, such as ice cream, frozen yogurt, cookies or popcorn.

Coffee Shops/Cafes, with Drive-Thru: Same as the above use, but with a drive-thru facility.

Collector Streets: Major, minor, and residential collectors. The collector streets provide the traffic movement between the neighborhoods of the city, to the arterial streets.

College or University: A degree-granting institution, other than a trade school, that provides education beyond the high school level. The use includes, but is not limited to, classroom buildings, offices, laboratories, lecture halls, athletic facilities, and dormitories.

Collocate Or Collocation: To install, mount, maintain, modify, operate or replace wireless facilities on or adjacent to a wireless support structure or /authority?utility pole.

Commercial Entertainment, Indoor: A use, providing entertainment, diversion, or pleasure that is created by watching a performer, sports competition, etc., whether public or private, conducted indoors as a business, including concert halls, performance theatres, stadiums, and uses analogous to these uses.

Commercial Entertainment, Outdoor: A large open or partially enclosed space most often used for the viewing of games or major events, and partly or completely surrounded by tiers of seats for spectators. Accessory uses may include restaurants, bars, concessions, parking, and maintenance facilities.

Commercial Vehicle: Any vehicle currently registered as such with the Arizona Department of Motor Vehicles or equivalent out-of-state or federal agency and is used primarily in the conduct of a business as opposed to private family or individual use.

Commission: The Planning and Zoning Commission of the City of Eloy.

Common Area: Land in a residential development held in common and/or single ownership and not reserved for the exclusive use or benefit of an individual tenant or owner.

Common Ownership: Ownership by one (1) or more individuals in any form of ownership.

Communications Service Provider: A cable operator (as defined in 47 United States Code Section 522(5), a provider of information service (as defined in 47 United States Code Section 153(24), a telecommunications carrier (as defined in 47 United States Code Section 153(51) or a wireless provider.

Community Playfields and Parks: A tract of land owned by a public entity and available to the general public for recreational purposes, including indoor recreational facilities, swimming pools, playgrounds, and lighted and unlighted athletic fields.

Community Recreation Center: A facility providing recreation/pool facilities and/or meeting rooms, and typically oriented to the recreational needs of the residents of the surrounding area.

Compatible: The use of land or a structure that is capable of existing together in harmony with other structures or uses of land adjacent or in proximity to the land use or structure in question.

Comprehensive Sign Plan: A coordinated and detailed plan demonstrating consistency of all sign types, their location, design standards, color/material finishes, lettering and/or graphic style and supporting lighting plan proposed for multi-tenanted buildings or shopping centers.

Concealed/Disguised: Any personal wireless communications device that is obscured or made to appear to be a natural plant or architectural feature.

Concentrated Animal Feeding Operation (CAFO):

- A. Any facility or farm operation which includes all structures; including, but not limited to: feed storage bins, waste storage facilities, waste treatment operations used to digest or reduce the solids or nutrients, litter storage or incinerators, or other accessory structures, which at any one time has more than two hundred fifty (250) animals of any kind including beef cattle, dairy cattle, horses, sheep, goats, and ratites but not swine or poultry. Also, a CAFO is one that:
 - 1. Such animals are or will be stabled, confined, fed, or maintained for a total of forty-five (45) days or more in any twelve (12) month period; and/or
 - 2. Crops, vegetation, forage growth or post-harvest residues are not sustained over any portion of the operation of the lot or facility.
- B. An operation which confines and feeds dairy or beef cattle for a period of twenty (20) days, moves them to pasture or other facility for a period of time and then returns the dairy or beef cattle to the feedlot for an additional twenty-five (25) consecutive days is still considered a CAFO.

Conditional Use: A use potentially permitted in a particular zoning district only upon demonstrating, to the Commission and Council that such use in a specified location will comply with all the conditions and standards for the location or operation of such use as specified in this Ordinance.

Consistent: Means harmony, regularity of steady continuity.

Contiguous: In contact with one or more sides.

Continuous: Means an uninterrupted extension in space, time or sequence.

Convenience Market: Retail establishments that sell a limited line of groceries, prepackaged food items, tobacco, magazines, and other household goods, primarily for off-premises consumption and typically operating with long or late hours of operation and a relatively small building of less than 5,000 square feet.

Corral: A fenced area for the confinement of large Agricultural Animals.

Correctional Transitional House: A supervised dwelling unit where individuals who are completing their judicial sentence, reside for a defined period of time for counseling, job placement assistance, and similar services that assist in their transition from institutional to community living.

Council: The City Council of the City of Eloy.

Country Club, Private Membership: An area containing, but not limited to, a club house which is available only to a limited group of people based on membership. Such a club may contain, as adjunct facilities, a private club and dining room, swimming pool, tennis courts and similar service and recreation facilities.

County: Pinal County, State of Arizona.

Courtyard: Any space other than a yard on the same lot with a building or group of buildings and which is unobstructed and open to the sky from above the floor level of any room having a window or door opening on such space.

Covered Porch, Front: A one story roofed area attached to a street-fronting building facade that is not devoted to the garage, of which a minimum of two (2) sides shall be at least fifty (50) percent open and the minimum dimensions shall be four (4) feet deep by eight (8) feet wide.

Crematorium or Funeral Parlor: A location containing properly installed, certified apparatus intended for use in the act of cremation, or an establishment for the preparation of the deceased for burial and the display of the deceased and rituals connected with, and conducted before, burial or cremation, as well as a facility for the permanent storage of cremated remains of the dead.

Cul-de-sac: A local street, one end of which is closed and consists of a circular turn around.

Curb Cut: A dip in a sidewalk and curb that enables a vehicle to drive to a driveway, garage, parking lot, loading dock or drive-through.

Dairy: A commercial farm operation with accessory uses or accessory structures including, but not limited to, feed storage bins, litter storage sites, manure storage sites, manure disposal pits, processing and/or sales of dairy products which at any one time has at least two hundred fifty (250) but not more than five hundred (500) bovine species (375 - 750 AU) and must be located on a site with a minimum of six hundred forty (640) acres.

Day Care, Home Occupation: A permanent residential unit where an occupant provides day care and supervision for no more than four (4) children or adults not residing in the household, whether or not for compensation. The following uses are not a Home Occupation Day Care use: Group Home; Day Care, Home and Day Care, Center.

Decibel: A unit for expressing the relative intensity of sounds from zero (0), average least perceptible to one–hundred–thirty (130), average pain level.

Deck: A projecting non–enclosed portion of a structure located at a height of less than eight (8) feet above the ground.

Dedication: The designation of land by its owner for any general or public use.

Demolish: To pull down or tear down a structure without regard to maintaining the visual or structural integrity of its various components.

Density Transfer: The ability to use permitted unused allowable densities or development units in one development unit, parcel or subdivision area in another development unit, parcel or subdivision area of the same development. (Examples: Within a subdivision, clustering of homes on smaller lots to retain larger open space areas; within the floodplain area, to cluster homes at a higher elevation to retain undisturbed floodplains.)

Density: The total number of dwelling units or lots divided by the Gross Area (acres) unless otherwise stated.

Developer: A person, firm, partnership, joint venture, association, trust, corporation, limited liability company, or entity who desires to improve or otherwise engage in any development of property within the City of Eloy, including the owner of the property and any agents acting on behalf of the owner.

Development Agreement: An agreement executed between the City and any person having a legal or equitable interest in real property for the development of such property and which complies with the applicable provisions of Arizona Revised Statutes.

Development Plan: A plan submitted to and approved by the City of Eloy pursuant to the City of Eloy Zoning Ordinance. Such plan shall describe with reasonable certainty the density and intensity of use for a specific parcel or parcels of property associated with a any type of development, but most commonly associated with a Planned Area Development.

Development Unit: One (1) or more tracts or lots of a PAD that may be developed in phases or by different owners.

Development: Any manmade change to improved or unimproved real estate, including but not limited to the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, landfill or land disturbance.

Direct Illumination: An externally mounted light source that is used for illuminating a sign.

Director: The Director of the Community Development Department.

Disability: The term “disability” means, with respect to an individual (A) a physical or mental impairment that substantially limits one or more major life activities of such

individual; (B) a record of such an impairment; or (C) being regarded as having such an impairment. For purposes of this definition, a qualified individual with a disability shall not include an individual who is currently engaging in the illegal use of drugs, when the covered entity acts on the basis of such use, except as provided in 42 U.S.C. § 12210. The term “illegal use of drugs” means the use of drugs, the possession or distribution of which is unlawful under the Controlled Substances Act, 21 U.S.C. § 812. Such term does not include the use of a drug taken under supervision by a licensed health care professional, or other uses authorized by the Controlled Substances Act or other provisions of Federal law. The term, disability, shall be interpreted in a manner consistent with the definition of disability in the Americans with Disabilities Amendment Act of 2008.

Dish Antenna: A bowl shaped device for the reception and/or transmission of radio frequency communications signals in a specific directional pattern.

Distribution / Warehousing Center, Indoor: A building with the primary purpose of receiving, storing, sorting, transferring to larger or smaller vehicles, consolidating into larger quantities or breaking down into smaller quantities of goods and materials for reshipment to other locations, typically for other businesses.

Distribution Yard, Outdoor: An open site, completely enclosed by an opaque wall, with the primary purpose of receiving, storing, sorting, transferring to larger or smaller vehicles, consolidating into larger quantities or breaking down into smaller quantities of goods and materials for reshipment to other locations typically for other businesses.

District: A portion the City within which certain uniform regulations and requirements or various combinations of requirements are applied under the provisions of this Code.

DNL (Yearly Day-Night Noise Level): A summation metric accepted by the federal aviation administration (FAA) as an appropriate measure of cumulative noise exposure at airports.

Domestic Animal: An animal which is commonly maintained in a common residence with human habitation.

Driveway: A portion of the vehicle accommodation area that consists of a travel lane bounded on either side by an area that is not part of the vehicle accommodation area.

Duplex: A building occupied for the primary purpose of permanent living quarters for two (2) families, including a Single-Family Semi-Detached dwelling. **Dust Free:** Treatment of native soil with a covering of asphalt, concrete, masonry or other palliative substance.

Dwelling Unit: A building or portion of a building designed or used by one (1) family for residential purposes as a single housekeeping unit, but not including assisted living facilities, hospitals, hotels, motels and other accommodations for the transient public.

Dwelling, Live/Work - An integrated housing unit and working space, occupied and utilized by a single household in a structure, either single-family or multi-family, that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and which includes: a complete kitchen space and sanitary facilities in compliance with the City building code; and working space reserved for and regularly used by one (1) or more occupants of the unit.

Dwelling, Manufactured Home: A structure built on or after June 15, 1976, in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974 and Title VI of the Housing and Community Development Act of 1974.

Dwelling, Mobile Home: A structure, transportable in one or more sections, that is at least eight (8) feet in width and thirty-two (32) feet in length and that is built on a permanent chassis and designed to be used as a dwelling unit, with or without a permanent foundation, when connected to on-site utilities, and that was not constructed in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974 and Title VI of the Housing and Community Development Act of 1974.

Dwelling, Modular Home: A factory-built building, residential, excluding mobile homes and manufactured homes defined herein. Such housing is certified as meeting the state and local building codes as applicable to modular housing and shall be considered equivalent to a site built building and which requires substantial assembly on site. Also referred to as “factory built” in Department of Building, Fire and Safety Rules, State of Arizona.

Dwelling, Multi-Family - A single building containing three (3) or more dwelling units on an individual lot for occupancy by families living independently of each other. Within apartments, the building and land are under single ownership and dwelling units are rented or leased. Within a condominium, ownership consists of the airspace within a unit and the building(s) and all land within the development are under common ownership.

Dwelling, Single-Family Attached - A dwelling designed for or used by one (1) family, located on an individual lot, and having any portion of one (1) or more walls in common with adjoining dwellings. Housing units are side by side only.

Dwelling, Single-Family Detached - A dwelling designed for or used by one family.

Easement: Is a right to use a portion of the land owned by another individual for a special purpose or public use such as, by way of example, vehicular or transportation access, drainage, or public utilities.

Easement, Avigation: A document acknowledging airport proximity, limiting the height of structures and granting permission for the conditions arising from the overflight of aircraft in connection with the operation of an airport.

Effective Date: The date on which a permit or other approval becomes enforceable or otherwise takes effect, rather than the date it was signed or circulated.

Efficiency Dwelling Unit: A dwelling unit containing only one (1) habitable room.

Egress: An exit.

Electronic Message Center: A internally lit sign that uses computer-generated or electronic components to change advertising copy, messages or color, including signs that flip or rotate.

Elevation: The vertical distance above or below a fixed reference level or A flat scale drawing of the front, rear or side of a building or structure.

Encroachment: A right of access or entry that has been agreed upon by the property owner or mandated by the City, State or Federal Government.

Enlargement: An increase in the size of an existing structure.

Entry Features: A distinctive object or element located at or near the point at which entrance is made.

Equipment Cabinet: An enclosed shed or box at the base of or near a wireless facility mount within which are housed, among other apparatus, batteries and electrical equipment (hereinafter referred to as "equipment"). This equipment is connected to the antenna by cable(s).

Erected: Built, constructed, altered, reconstructed, moved upon; any physical operations on premises which require construction, excavation, fill, drainage and the like, shall be considered part of an erection.

Excavation: Removal or recovery by any means whatsoever of soil, rocks, minerals, mineral substances or organic substances other than vegetation from water or land from beneath the land surface whether exposed or wholly or partially subgrade.

Exhibit: Any graphic representation noted as "exhibit" within this Chapter, that is used to illustrate and exemplify certain standards and regulations contained within the language of this Chapter. If an exhibit and text of the Ordinance conflict, the written text of the Ordinance shall control.

Existing Grade or Elevation: The vertical location of the ground surface prior to excavating or filling.

Existing Use: The use of a lot or structure at the time of enactment of this Ordinance.

Expansion: The process of becoming greater in size, number, or amount.

Exterior Display: Materials and items for sale in conjunction with a retail business that are displayed outside or underneath a canopy for more than twenty-four (24) hours and which are not stored within a building. This does not include outside vending machines or architectural props or decorations.

Exterior Wall: Any wall that defines the exterior boundaries of a building or structure.

FAA: The Federal Aviation Administration.

Fabrication: Means to construct or assemble from diverse and usually standardized parts.

Facade: The entire building front including the parapet.

Family: One (1) or more persons living together as a single housekeeping unit, in a dwelling unit.

Farm/Agriculture: An agricultural use, and all accessory structures customarily associated with such use, where the growing and harvesting of field, tree or bush crops including flowers takes place, which may or may not be owner occupied but which may utilize employees who are not owners or related to the owners. Agricultural animals may be considered accessory to a farm use provided the animal density is no more than two (2) AU/acre or not more than a total combination of two hundred fifty (250) animals; or whichever is less.

Farmers Market/Produce Stand: Commercial activities conducted in an outdoor area, or in semi-enclosed temporary structures where one (1) or more vendor(s) display, barter, or sell directly to the customer food, merchandise and products made or produced locally, such as fresh fruits, vegetables, flowers, herbs, plants, and home prepared food products. A farmer's market tends to be seasonal, and vendors typically do not occupy the market on an uninterrupted, daily basis. Farmers market does not mean flea market, occasional arts and craft fairs, or festivals.

FCC: The Federal Communications Commission.

Feed Store: An establishment engaged in the retail sale of supplies directly related to ranching or dairy operations.

Fence or Wall Height: Where a fence or wall faces a public street, highway or alley, its height shall be measured from the top of the curb, or where no curb exists, the centerline of the street, highway, or alley. Where a fence or wall separates two (2) properties, the height shall be the average measured from each side of the base of the fence as established at the time of final grading. A retaining wall will be counted as part of the total wall or fence height where the minimum horizontal distance between the retaining wall and the fence is less than the average height of the retaining wall. Where the minimum horizontal distance between the retaining wall and the fence is greater than the average height of the retaining wall, the fence or wall height shall be measured from the base of the fence or wall.

Fence: An artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land.

Financial Institution: An establishment that provides banking , lending, or similar financial services to individuals and businesses. This definition includes those institutions engaged in the on-site circulation of cash and check-cashing facilities, but shall not include bail bond brokers.

Financial Institution, with Drive-Thru: Same as the above use, but with a drive-thru facility.

Finished grade: The final grade and elevation of the ground surface after grading is completed and in conformance with the approved grading plans.

Fitness and Sports Center: A facility primarily featuring equipment for exercise and other active physical fitness and/or recreational sports activities, such as swimming, skating, racquet sports, aerobic dance, gymnasium facilities, indoor soccer, yoga, and other kinds of sports and fitness facilities.

Fixed Base Operator: A person, firm or corporation subject to the provisions of a lease, engaging in more than two (2) of the following:

- A. The sales, service, exchange, renting, and leasing of:
 - 1. New and used aircraft;
 - 2. Aircraft parts, accessories and hardware;
- B. The repair, overhaul, maintenance, and alteration or modification of general aviation aircraft and/or aircraft equipment under the provisions of FAA approved guidelines;

C. The provisions of an FAA pilot flight and ground school training; and

D. Charter flight services, which may include aerial photography, advertising, mapmaking, and crop dusting services.

Flag: A fabric sheet of square or rectangular or triangular shape which is mounted on a pole. This includes flags of the United States, State of Arizona, registered corporations and other registered entities, foreign nations, as well as decorative flags, and flags supporting activities of the City or other public facility land use.

Flea Market: An indoor or outdoor premises where the main use is the sale of new or used household goods, personal effects, tools, art work, appliances, and similar merchandise, objects, or equipment in small quantities, in stalls, lots, parcels, or in bulk, for the use, sale or consumption by the immediate purchaser in a building, open air, or partly enclosed booths or stalls not within a wholly enclosed building. This definition does not include temporary retail sidewalk sales or garage sales or special events.

Flood or Flooding - Means a general and temporary condition of partial or complete inundation of normally dry land areas from: (1) the overflow of flood waters; (2) the unusual and rapid accumulation or runoff of surface waters from any source; and/or (3) the collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm or by an unanticipated force of nature, such as flash flood or by some similarly unusual and unforeseeable event which results in flooding as defined in this definition.

Flood Insurance Rate Map: The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and risk premium zones applicable to the community.

Floodplain: Any land areas which are susceptible to being inundated by water from any source.

Floodway: The channel of a wash or other watercourse and the adjacent land areas that must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation more than one foot (1').

Floor Area Ratio: The numerical value obtained through dividing the Gross Floor Area of a building or buildings located on a lot or parcel of land by the total Net Area of such lot or parcel of land.

Floor Area, Gross: The sum of the area of all floors of a building, including areas used for human occupancy in basements, attics, and penthouses, as measured from the exterior faces of the walls. It does not include cellars, unenclosed porches, or attics not used for human occupancy, or any floor space in accessory buildings or in the main building intended and designed for the parking of motor vehicles in order to meet the parking requirements of this Ordinance, or any such floor space intended and designed for accessory heating and ventilating equipment. It shall include the horizontal area at each floor level devoted to stairwells and elevator shafts.

Floor Area, Net: The total of all interior useable floor areas of a building measured from the interior face of interior walls, excluding stairwells and elevators shafts, unenclosed porches, public corridors, public toilets, light shafts, equipment rooms and vertical equipment chases.

Force Majeure: An event that results from the elements of nature, as opposed to an event caused by human behavior.

Foundation (Base) /Footing: The area adjacent to the exterior walls of a building containing hardscape, (entry plazas, covered walkways, sidewalks), ground cover, or landscaping.

Fraternal or Social Club, nonprofit - Meeting, recreational, or social facilities of a nonprofit organization primarily for use by members or guests. This classification includes union halls and social clubs.

Fringe: An area on an outer edge or periphery of a lot, parcel, subdivision or tract.

Frontage, Building: The length of an outside building wall, most commonly associated with the front yard or a lot or parcel.

Frontage: The length of the front property line of a lot or tract of land abutting a public street, road, highway, or rural right-of-way.

Gable: A ridged roof forming a gable at both ends of the building.

Garage Sale: A sale of household items conducted on a residential lot and incidental to the existing principal dwelling.

Garage, Private: A completely enclosed accessory building or accessory portion of the main building used for shelter or storage of vehicles.

Garage, Side Entry: A garage in which its door does not directly face the street with an entrance that is parallel to the side property line.

Garden Shed: A four (4) sided, single-story, accessory structure that may be partially or entirely enclosed, located within the rear yard of a residential lot used for storage, hobbies, or as a workshop.

General Personal Services: An establishment, whether for consideration or not, that provides non-medical care, advice, aid, maintenance, repair, treatment, or similar semi-technical, technical, or experienced assistance, other than the practice of a profession and wholesale or retail sale of goods. Examples included, but are not limited to, shoe repair, beauty and barber shops, tanning salons, and dry cleaning shops.

General Personal Services, with Drive-Thru: Same as the above use, but with a drive-thru facility.

General Plan: An aspirational plan for the future pursuant to Arizona Revised Statutes, Section 9-461.05, providing for the future growth and improvement of the City of Eloy and for the general location of land uses, streets, schools and recreation areas, public building sites, and other physical development, and including any part of such plan separately adopted and any amendment to such plan, or parts thereof.

General Recreation, Indoor: An establishment offering recreation, game playing, rides, or similar amusements to the public within an enclosed building. This shall include, but not be limited to, arcades, bowling alleys, billiard parlors, bingo parlors, and laser tag parlors.

General Recreation, Outdoor: Intensely developed recreational uses where the general public typically participates, lighted or unlighted, such as amusement parks, miniature golf courses, batting cages, motocross courses, water parks or slides, courses for paramilitary games, and archery facilities.

Golf Course, Unlighted: A tract of land having nine or more holes for playing the game of golf, including any accessory clubhouse, driving range, office, restaurant, concession stand, picnic tables, pro shop, maintenance building, restroom facility, or similar accessory use or structure. This term shall not include miniature golf courses as a principal or accessory use, nor shall it include driving ranges that are not accessory to a golf course, nor shall it include lighted golf courses.

Government Offices and Civic Buildings: An office of a governmental agency that provides administrative and/or direct services to the public, such as, but not limited to: post offices, employment offices, public assistance offices, or motor vehicle licensing and registration services.

Grade, Average: The average of the finished ground level at the center of all walls of a building. Where walls are parallel to, and within five (5) feet of a sidewalk, the ground level shall be measured at the sidewalk.

Grade, Finish: Final elevation of the ground surface conforming to the approved grading plans.

Grade, Natural: Elevation of the natural or undisturbed ground surface prior to any grading operation. Building elevations, for purposes of height limitations, shall be measured from natural grade.

Gross Leasable Area: The total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines, and upper floors, if any, expressed in square feet and measured from the center line of joint partitions and from outside wall faces.

Group Care, Home: A dwelling unit for a group of no more than six (6) unrelated persons, excluding staff, who do not have a disability (see “Resident Care Home” for persons with disabilities), and are not living together as a single housekeeping unit. Group home facilities may or may not be licensed by the state or another government authority. This definition shall include shelter homes for people at risk and halfway/correctional transitional facilities, but shall not include resident care homes for the developmentally disabled nor foster care homes as specifically defined and provided for by the Arizona Revised Statutes.

Grubbing: The elimination of roots from the ground by digging or pulling.

Guest Room: Any room or rooms, used or intended to be used by guests on a temporary basis for sleeping purposes, having no provisions for cooking. School and college dormitories and fraternity and sorority houses are excluded.

Guest: Any person hiring and occupying a room on a temporary basis for sleeping purposes.

Habitable Room: Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage and utility spaces and similar areas are not considered habitable space.

Handicapped: See “Disability”

Hardscape: The part of a building’s grounds consisting of improvements, such as plazas, retaining walls and sidewalks, typically constructed of concrete, sidewalk pavers or other masonry or stone materials.

Hazardous Materials: Any substance characterized as flammable solids, corrosive liquids, radioactive materials, oxidizing material, highly toxic materials, poisonous gases, reactive materials, unstable materials, hypergolic materials and pyrophoric material and as well as any substance or mixture of substances which is an irritant, a strong sensitizer or which generates pressure through exposure to heat, decomposition or other means, or as otherwise defined by law.

Health Care / Medical Facility or Clinic: A public or private facility primarily engaged in furnishing, on an outpatient basis, chiropractic, dental, medical, surgical, medical imaging, or other services to individuals, including the offices of chiropractors, physicians, dentists, drug therapists, rehabilitation therapists and other health practitioners, medical and dental laboratories, outpatient care and outpatient care facilities. Patients are not kept overnight except under emergency conditions.

Heavy Rental, Outdoor - Retail establishments selling or renting construction, farm, or other heavy equipment. Examples include cranes, earth moving equipment, tractors, combines, heavy trucks, etc.

Height: See **Section X.X**

Height, Wireless Facility: The height of wireless facility/monopoles and towers shall be measured from the natural grade to the top of all appurtenances. The height of rooftop mounted communication equipment shall be measured from the base of the roof elevation to the top of all appurtenances. The height of building mounted communication equipment shall be measured from the top of the equipment to natural grade.

Home Occupation: A commercial activity conducted entirely within a dwelling or accessory structure (in a residential zoning district) that can be conducted without any significantly adverse impact(s) on the surrounding neighborhood.

Homeowner Association: An organization of homeowners of a particular subdivision, condominium or planned unit development.

Hospital: A public or private facility, which can include multiple buildings, for the accommodation of sick, injured, or infirm persons, and for the provision of related inpatient and outpatient services. Services regularly include the keeping of patients overnight. Accessory uses include heliports and related facilities, and parking.

Hotel or Motel: A building or group of buildings with continuous on-site management and containing nine(9) or more sleeping rooms that are occupied or intended or designed to be occupied as the temporary abiding place of persons who are lodged with or without meals, for compensation.

HUD: Department of Housing and Urban Development

Impervious Surface: Any material that substantially reduces or prevents the infiltration of stormwater into previously undeveloped land including but not limited to asphalt, concrete and graveled driveways and parking areas.

Individual: Any private individual, tenant, lessee, owner, or any commercial entity including, but not limited to, companies, partnerships, joint ventures or corporations.

Ingress: Access or entry.

Interference, Electrical: Disturbance in the operation of various equipment types caused by computers and digital equipment, heavy electrical equipment, lighting systems, faulty electrical devices, etc.

International Fire Code: Developed by the International Code Council, which addresses fire prevention matters and extraordinary fire risks in existing buildings, relies on the International Building Code for most of its new construction criteria.

Irrigation Plan: A plan prepared to scale, showing the layout and details of an irrigation system, including the type and location of all materials specified.

Irrigation System: The combination of elements such as automatic controllers, meters, pressure vacuum breakers, pipes, valves, emitters, bubblers, spray heads, tubing and other materials designed for the purpose of transporting water from the piping source to the landscaping on the property.

Junk Automobile: Any vehicle missing one or more body parts; or is incapable of operating under its own power; or is missing any wheels; or has missing or severely shattered windshield and/or window glass which prohibits safe operation; or has one or more flat tires for a period of seventy-two (72) or more hours.

Junkyard: The use of a lot, or portion thereof, for the storage, keeping, baling, packing, disassembly, exchange or handling of, including, but not limited to: junk, scrap iron and other metals, paper, rags, rubber tires, bottles, dismantled or wrecked automobiles or other motor vehicles or machinery, but does not include uses confined entirely within enclosed buildings.

Kitchenette: An area used or designed for the preparation of food and containing a sink, refrigerator and an electrical outlet, which may be used for a microwave oven. No 220V outlet for a range or oven is provided.

Landscape Plan: A plan prepared to scale, showing elements such as trees, shrubs, groundcover, sculpture, walls, signage, lighting, water features, walkways and other organic and inorganic materials. The plan shall include a plant list, indicating the size, quantity, and name, both botanical and common, of all plant materials specified as well as natural and inert groundcover.

Landscaping: The combination of elements such as trees, shrubs, ground cover, vines, and other organic and inorganic materials for the express purpose of creating an attractive and pleasing environment. Public art, water features, plazas, patios, decorative courtyards, signage and lighting may also be considered landscape elements.

Lattice Tower: Any tower that uses three (3) or more poles to form the base and lattice bracing to connect the poles and thereby increase structural support.

Library, Public: A permanent facility for storing and loaning books, periodicals, reference materials, audio and videotapes, computers, and other similar media which is open and available to the public.

Lighting Plan: A plan prepared to scale, showing the layout and details of lighting and photo metrics, including the type, footcandles, height fixtures and location of all materials specified.

Light Reflective Value (LRV): The measurable amount of visible and usable light that reflects from (or absorbs into) a painted surface.

Livestock: Cattle, horses, sheep, goats, fowl and other similar domestic animals, excluding dogs and cats.

Loading Area, Material: An off-street space available for the loading or unloading of goods; not less than fifteen (15') feet wide, twenty-five feet (25') long, and fourteen feet (14') high, and having direct usable access to a street or alley, except that where one such loading space has been provided, any additional loading space lying alongside, contiguous to, and not separated from such first loading space need not be wider than twelve feet (12').

Local Street: Primarily functions to provide direct access to abutting land and for traffic movements within neighborhoods. Local streets connect to collector and arterial streets and have one lane in each direction.

Logo: A graphic design representing a product, identity or service.

Lot Area, Net: The total horizontal area included within the rear, side, and front lot lines of the lot, excluding any streets or highways, whether dedicated or not dedicated to public use, but including off-street automobile parking areas, easements and other accessory uses.

Lot Area: The total area in square feet within the boundary lines of a lot.

Lot, Corner: A lot located at the intersection of two (2) or more streets.

Lot Coverage: The horizontal surface area of a lot that, if looking down from above, would be covered by any building, accessory building, roof or protection.

Lot Depth: The depth of a lot is the mean distance between its front street line and its rear property line.

Lot Depth: The horizontal length of a straight line connecting the midpoints of the front and rear lot lines; and for triangular shaped lots, the shortest horizontal distance between the front lot line and a line within the lot, parallel to and at a maximum distance from the front lot line, having a length of not less than ten (10) feet.

Lot Line, Front:

- A. In the case of a corner lot fronting on two (2) private streets, but not on a public street, a line separating the shorter street frontage of the lot from a private street;
- B. In the case of a corner lot fronting on two (2) public streets, a line separating the shorter street frontage of the lot from a public street; alternatively, a property owner may elect that the front lot line shall be the line separating the longer street frontage of the lot from a public street. This election shall be in writing and shall be approved by the Zoning Administrator and shall be recorded with the Pinal County Recorder's Office.
- C. In the case of a corner lot having frontage on one (1) public street and one (1) private street, a line separating the street frontage of the lot from the public street;
- D. In the case of an interior lot fronting on a private street, but not a public street, a line separating the lot from the private street;

E. In the case of an interior lot fronting on a public street, a line separating the lot from the public street;

Lot Line, Front: In the case of an interior lot, a line separating the lot from the street right of way. In the case of a corner lot, the narrower of the two (2) lot lines adjoining a street right of way.

Lot Line, Rear: The lot line or lines generally opposite or parallel to the front lot line, except in a through lot. If the rear lot–line is less than ten (10) feet long or the lot comes to a point at the rear, said rear lot–line is assumed to be a line not less than ten (10) feet long, lying wholly within the lot, approximately parallel to the front street line (See **Figure X.X**).

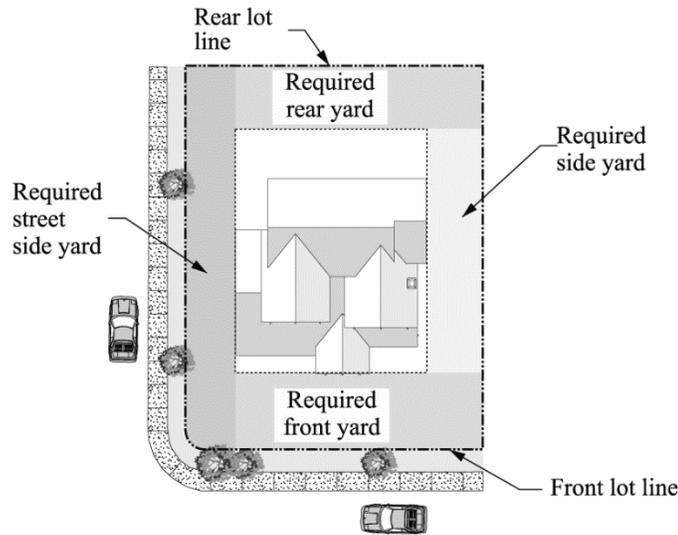


Figure X.X Lot Line

Lot Line, Side: Any lot line other than a front lot–line or a rear lot–line (See **Figure X.X**).

Lot Line: A line dividing one lot from another or from a street or any public place.

Lot Width: The horizontal distance between side lot lines, measured at the required front setback line. If the side property lines are parallel, the shortest distance between these side lines; or if the side property lines are not parallel, the width of the lot shall be the length of a line at right angles to the axis of the lot at a distance equal to the front setback required for the district in which the lot is located. The axis of a lot shall be a line joining the midpoints of the front and rear property lines.

Lot, Corner: A lot having frontage on two (2) public streets which intersect at a corner of the lot.

Lot, Depth: The average horizontal distance between the front–lot line and the rear–lot line.

Lot, Flag: An interior lot in which the buildable area is located to the rear of a lot abutting a street, and which has vehicular access to the same street using a narrow driveway.

Lot, Interior: Any lot other than a corner lot, but including a through lot (See **Figure X.X**).

Lot, Key: A lot adjacent to a corner lot having its side lot line in common with the rear lot line of the corner lot and fronting on the street that forms the side boundary of the corner lot.

Lot of Record: A lot which is part of subdivision, the plat of which has been recorded in the Office of the Clerk of Maricopa County Recorder's Office, or parcel of land, the deed of which is recorded in the Office of the County Recorder.

Lot, Through: A lot inhibiting a pair of opposite lot lines abutting two streets and which is not a corner lot. On such a lot, both lot lines are front lot lines, except that where a non–access easement has been established, the front lot line shall be considered as that lot line most distant from the lot line containing the non–access easement (**See Figure X.X**).

Lot: A single tract or piece of property located in a recorded subdivision having frontage on a publicly dedicated and accepted street or a private road approved by the City that is described and denoted as such. A lot also includes a parcel of land, shown in the records of the Pinal County Assessor's Office, divided to be used separately from other parcels of property by description, as on a recorded survey map or by metes and bounds for purposes of sale, lease or separate use in a legal manner pursuant to all state, county and City requirements for the development and proposed use of that property.

Maintenance: The repair, painting, trimming, pruning, watering and other on–going activities which are associated with providing an attractive site appearance and safe buildings and structures.

Maintenance or Minor Repair:

- A. Repairs that are necessary to maintain and to correct any damage or deterioration to the structural soundness or exterior or interior appearance of a building or structure, utilizing the same materials and methods, without expanding the building or structure;
- B. Maintenance of land areas to minimize health and environmental hazards; and
- C. Repairs that are required to remedy unsafe structural conditions that cause a threat to public safety and/or welfare.

Mansard: A sloped roof or roof–like facade architecturally comparable to a building wall.

Manufactured Home Subdivision: A subdivision designed for residential use with lots for sale where each residence is to be predominantly a manufactured home.

Manufactured Home, Park - A site with required improvements and utilities for the long-term parking of manufactured homes, which may include services and facilities for the residents.

Manufacturing, Heavy: An establishment engaged in the manufacture or compounding process of raw materials. Such activities may include the storage of large volumes of highly flammable, toxic matter or explosive materials needed for the manufacturing process. Examples include, but are not limited to: refining or initial processing of raw materials; rolling, drawing, or extruding of metals; asphalt batching plants; sawmills; meat slaughtering or packing house; and manufacture or packaging of cement products, feed, fertilizer, flour, glue, paint, petroleum products, soap, turpentine, varnish, charcoal, or distilled products.

Manufacturing, Light: An establishment engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding basic industrial processing. Examples include, but are not limited to: airplane, automobile, or truck assembly, remodeling, or repair; bottling works; brewery or distillery, boat building, machine or blacksmith shops; metalworking or welding shops; paint shops; and printing and publishing shops.

Market Garden: A lot or any portion thereof, managed and maintained by a person, for growing and harvesting, farming, or any other use, which contributes to the production of organic agricultural, floricultural, or horticultural products for recreation or direct local consumption rather than for commercial processing.

Master Plan Development: A phased development application which provides information and graphics meeting the requirements of this Chapter, and an overall master plan meeting the requirements of the subdivision ordinance, for the purpose of implementing an integrated development approach for all phases of the proposed development.

Medical Marijuana Cultivation or Dispensary

A. Medical Marijuana Cultivation: The process by which a person, including a caregiver or dispensary, grows a marijuana plant. A facility shall mean a building, structure or premises used for the cultivation or storage of medical marijuana that is physically separate and off-site from a medical marijuana dispensary.

Medical Marijuana Dispensary: A nonprofit entity defined in Arizona Revised Statutes Section 36-2801(11), that sells, distributes, transmits, gives, dispenses, or otherwise provides medical marijuana to qualifying patients.

Medical Marijuana Infusion (Or Manufacturing) Facility: A facility that incorporates medical marijuana (cannabis) by the means of cooking, blending, or incorporation into consumable/edible goods.

Medical Marijuana Qualifying Patient: A person who has been diagnosed by a physician as having a debilitating medical condition as defined in Arizona Revised Statutes Section 36-2801.13.

Medical Marijuana: All parts of any plant of the genus Cannabis whether growing or not, and the seed of such plants that may be administered to treat or alleviate a qualifying patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition.

Microbrewery, Craft Distillery or Tasting Room:

Microbrewery or Craft Distillery. A facility for the brewing of beer or distilling of alcohol for onsite consumption as well as wholesale and retail sale, subject to State licensing requirements. Food and/or other alcoholic beverages may also be served.

Mixed Use Development: Represented by a horizontal or vertical mix of retail, office, and higher density residential at more urban densities with an emphasis on pedestrian scale and walkability. This category is also appropriate along rail corridors where a mix of commercial, industrial and higher residential densities are appropriate. The general plan uses and densities permitted within this category include neighborhood commercial, community commercial, light industrial, medium high density residential and high density residential. It is encouraged that zoning applications within the mixed use category include multiple uses and/or the integration of at least two (2) uses within individual structures. Although not required, it is encouraged that sites designated as mixed use exceed twenty-five (25) acres in size.

Mixed Use: A mix of retail, office and higher density residential at more urban densities with an emphasis on pedestrian scale.

Mobile Vending Unit: Any motorized or nonmotorized vehicle, trailer, kiosk, pushcart, stand, display, blanket, ground covering or other device designed to be portable and not permanently attached to the ground from which any is used to sell goods, wares, merchandise or food, are peddled, vended, sold, served, displayed, offered for sale or given away. This includes any display consisting solely of the goods, wares, merchandise or food being peddled, sold, served, displayed or offered for sale.

Modification (or alteration): Any addition or modification that changes the exterior architectural appearance or materials of a structure or object. Alteration includes changes in exterior surfaces, changes in materials, additions, remodels, demolitions, and relocation of buildings or structures, but excludes ordinary maintenance and repairs.

Monopole: A facility used exclusively for wireless facility mounts and is self-supporting with a single shaft of steel, concrete or wood.

Mount: The ground or the structure to which a wireless facility is attached.

Movie Theater: An indoor building for the showing of motion pictures to a large audience.

Multi-Tenanted Building: A building complex or shopping center that contains any number of businesses, greater than one (1), that share the same site, use common points of ingress, and egress to and from the site.

Municipality: The City of Eloy, Pinal County, Arizona.

Municipal Airport Advisory Board: Advisory and oversight responsibilities for policies, fees, and general operations at the Eloy Municipal Airport.

Museum, Cultural Facility: Any permanent institution for the collection and display of objects of art or science, sponsored by a public or quasi-public agency and open and available to the public.

National Historic Register: The United States Federal Government's official list of the Nation's historic places, districts, sites, buildings, structures and objects deemed worthy of preservation due to their historical significance.

Natural grade: The undisturbed natural surface of the land, including washes.

Newspaper, general circulation: A newspaper published for the dissemination of local or telegraphic news and intelligence of a general character, which has a bona fide subscription list of paying subscribers, and has been established, printed, and published at regular intervals in the State, County or City.

Nightclub: A commercial establishment dispensing alcoholic beverages for consumption on the premises and in which dancing and musical entertainments are permitted.

Noise Contour: A continuous line on a map of the airport vicinity connecting all points of the same noise exposure level.

Non-chartered Financial Institution (Check-Cashing Facilities): Any person(s) or establishment engaged in the business of cashing checks or accepting deferred deposits for a fee, service charge, or other consideration. Such uses are not licensed banks, trust companies, savings and loan associations, credit unions, development corporations, mortgage brokers, thrift companies, pawn brokers, or insurance companies.

Nonconforming Building: A building or portion thereof which was lawful when established but which does not conform to a subsequently established district or district regulations.

Nonconforming Lot: A parcel of land having less area, frontage or dimensions than required in the district in which it is located.

Nonconforming Use: A use of land that:

- A. Legally existed before its current zoning or land use category designation; and
- B. Has been maintained continuously since the time the applicable regulations governing the land changed; and
- C. Because of subsequent changes, does not conform to this Chapter or the Eloy General Plan provisions that now govern the land.

Nuisance: A use of property or course of conduct that interferes with the legal rights of others by causing damage, annoyance, or inconvenience.

Nursery, Commercial: A full service retail sales establishment which sells trees, shrubs, and groundcover that are purchased wholesale off site. Accessory items can include packaged fertilizer, seed, mulch, and topsoil, as well as other packaged items commonly associated with a retail plant nursery, as long as such items are stored inside of a solid or screened structure. However, the sale or outside storage of bulk items, and/or the on-site storage of commercial vehicles or heavy equipment, shall be prohibited.

Nursing Home : Establishment with individual rooms supported by communal facilities (such as kitchen, dining, living, and recreation) that provides 24-hour medical, convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves, and is licensed as a skilled nursing facility by the State of Arizona, including but not limited to, rest homes and convalescent hospitals, but not Assisted Living Center or Home, Hospitals, or Clinics.

Occupancy, Certificate of: A document issued by the Chief Building Official and/or Zoning Administrator allowing the occupancy or use of a building and certifying that the structure or use has been constructed or will be used in compliance with all the applicable codes of the City of Eloy.

Occupancy, Change In: The discontinuance of an existing use and the substitution therefore of a use of a different kind or class.

Occupant: The person or entity occupying or having custody of a structure or premises as a lessee or other.

Office, Business or Professional: An establishment that provides executive, management, administrative, or professional services, but not involving the sale of merchandise except as incidental to a permitted use, and not including a medical office or clinic. Typical examples include real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting, broadcasting, call centers, and similar offices.

Off-site: Not located within the area of the property to be developed.

Off-street: Land which is not located within the right-of-way of any street or alley.

On-site: Located on the lot that is the subject of discussion.

Open Space, Common: Open space usable by all people within a certain development and such area is owned in common by all property owners in that development.

Open Space, Natural Area: Dedicated open space areas required for the preservation and conservation of plant and animal life, including habitat for fish and wildlife species; and areas required for ecological, cultural and other scientific study purposes for long term public benefit.

Open Space, Public: An open space area conveyed or otherwise dedicated to a municipality, municipal agency, school district, state or county agency, or other public body for recreational or conservational uses.

Open Space, Usable: Land which can be enjoyed by people. This could include landscaped or hardscaped plazas, paseo and promenades, fountains and sitting areas meant to provide an open park like atmosphere. Also includes playgrounds, golf courses, bicycle trails (but not bike lanes), pedestrian trails (not residential sidewalks), and trailheads. Usable open space does not include parking areas and vacant or undeveloped lots.

Open Space: An area that is intended to provide light and air, and is designed for either environmental, scenic, or recreational purposes. Open space may include, but is not limited to, lawns, decorative planting, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, wooden areas, and water courses. Open space shall not be deemed to include driveways, parking lots, or other surfaces designed or intended for vehicular travel.

Outdoor Musical Entertainment: Any outdoor music or vocal singing projected by natural or amplified means from an individual or individuals for the purpose of entertainment.

Outdoor Sales: The display of products or services, which are intended for retail or wholesale purchase not within a completely enclosed building.

Outdoor Storage: The location of any goods, wares, merchandise, commodities, junk, debris, or any other item outside of a completely enclosed building for a continuous period longer than twenty-four (24) hours.

Outdoor Vending: Any privately-owned vending stand, vending trailer, mobile food vehicle, or any other non-stationary device that is utilized for the purpose of temporarily displaying, exhibiting, carrying, transporting, storing, selling or offering for sale any food, beverages, goods, wares or merchandise. This definition shall not include temporary outdoor display and sales areas as specified in **Section X.X**.

Outside Display: The placement of goods, equipment, merchandise or exhibits at a location visible to the public view, other than within a building.

Outside RV Storage: A facility where boats and/or recreational vehicles are stored outside for seventy-two (72) hours or more.

Overflight: The flight of an aircraft over a specific area or territory.

Overlay District: An additional layer of zoning regulations, in connection with the base district classification, which guides development on properties within specified areas. Planned Area Development (PAD); Manufactured Home (MH); Airport (AO); and Downtown Core (DC) overlay districts.)

Over-the-Counter: The sale of goods, or products from a stock or inventory of goods or products stored on the premises for delivery to the customer at the point of sale.

Owner: A person recorded as such on the records of the County Assessor, or a person who has been granted written authorization by the owner to act on his/her behalf.

Panel Antenna: A relatively flat rectangular device that transmits and/or receives radio frequency signals in a directional pattern of less than three hundred sixty (360) degrees.

Parapet: The extension of a false front or wall above a roofline.

Parcel: One or more pieces of land separated from other pieces by description as in a subdivision or by metes and bounds as shown on records in the County Assessor's Office.

Parking, Bicycle: Bicycle parking, designed to serve employees, students, residents, commuters, and others who generally stay at a site

Parking Aisles: That portion of the parking area consisting of the driving lanes providing access to the individual parking spaces.

Parking Area: That portion of a lot that is used by motor vehicles for access, circulation, parking and loading and unloading. It comprises the total of circulation areas, loading and unloading areas, and parking areas (spaces and aisles).

Parking Lot: An area not within a building where motor vehicles may be stored for the purposes of temporary, daily, or overnight off-street parking.

Parking Lots and Parking Structure: A paved area used for the sole purpose of parking motor vehicles or a structure designed with one or more levels partially or fully enclosed, used for the parking of motor vehicles. The facility may be above, below, or partially below ground. This use does not include private carports or garages.

Parking, Off-Street: Marked or unmarked parking located within a parcel and outside a private or public right-of-way.

Parking, On-Street: Marked or unmarked parking located within a private or public right-of-way.

Parking Space, Compact: Any permanently maintained space, having a width of not less than eight (8) feet and a length of not less than fifteen (15) feet, so located and arranged as to permit the storage of a motor vehicle of compact size.

Parking Space, Standard: A portion of the parking area identified for the parking of one (1) motor vehicle.

Parking Space, Tandem: A parking configuration where one vehicle parks directly behind another and the vehicle in back must be moved in order for the front vehicle to leave.

Parking, Shared: The development and use of parking areas on two (2) or more separate properties or users for joint use by the businesses on those properties.

Permitted Use: Any use allowed in a Zoning District and subject to any restrictions applicable to that Zoning District.

Person: Any person, firm, partnership, association, social or fraternal organization, corporation, estates, trust, receiver, syndicated, branch or government or any other group or combination of groups acting as a unit.

Planned Area Development (PAD): A development as specified by this Ordinance, in which a PAD overlay zoning district is to allow both the City and an applicant enhanced flexibility in the application of development standards in exchange for a more creative approach to land planning and building design that could not otherwise be achieved through strict adherence to the terms of this Ordinance. The intent is to encourage innovative design and to allow for a creative land use mix that will promote a high-quality development reflective of the unique character and setting of the City of Eloy, flexibility can be sought in the zoning standards, in order to encourage more creativity and sustainable design.

Porch: A covered but unenclosed projection from the main wall of a building which may or may not utilize columns or other ground supports for structural purposes.

Poultry Farm/Facility: A poultry operation, with accessory structures, including, but not limited to: feed storage bins, coops, litter storage sites, incinerators, cold storage chests used for collection of dead birds, which at any one time has more than five (5) equivalent animal units (AU). Poultry farms/facilities shall not be permitted to maintain more than two hundred (200) equivalent animal units (AU) per facility at any time.

Poultry: Includes chickens, turkeys, domesticated birds, game birds, fowl and waterfowl.

Premises: Any property or properties developed as a unit, including all building(s), off-street parking, points of access, common area and any other appurtenances, all of which allows the parcel to function as a whole.

Principal (Primary) Use: A use that fulfills a primary or predominant function of an establishment, institution, household, or other entity and occupies at least seventy (70) percent of the gross floor area.

Private Street: Real property recorded as an improved roadway for pedestrian and motor vehicle traffic, constructed and maintained by private parties.

Prohibited Use: A use which is not specifically permitted or analogous to those land uses specifically permitted.

Protected Development Right Plan: A development plan identified as a protected development right plan at the time of the landowner's submission, that, if approved by the City Council, grants to the landowner a protected development right to undertake and

complete development and use of the property as shown thereon for a specified period of time.

Protected Development Right: The right to undertake and complete the development and use of the property under the terms and conditions of a protected development right plan, without compliance with subsequent changes in zoning regulations and development standards during the term of the protected development right, except as provided by Arizona Revised Statutes, Section 9-1204.

Public Safety Facility: The conduct of publicly owned safety and emergency services, such as, but not limited to, fire stations, police stations, and emergency medical and ambulance service.

Rail Freight Car: A car designed to carry freight or non-passenger personnel by rail and includes, but is not limited to: boxcar, flatcar, gondola car, hopper car, tank car, and occupied caboose.

Ranch, Commercial: An area not less than ten (10) contiguous acres which may be open to the general public and may be used for the following equine uses: polo fields; riding arenas used for scheduled public or club events or activities such as barrel racing, bull riding, cutting, gymkhanas, roping, team penning or other rodeo related activities. Commercial ranch uses do not include: dairies; CAFOs, liverys; the retail sale of hay, feed or tack; or livestock auctions. A commercial ranch requires a conditional use permit.

Ranch: An area of not less than two and one half (2.5) contiguous acres used for the keeping of agricultural animals, along with necessary accessory uses and limited crop production. Allowed ranch uses shall include: equine boarding, breeding, training, and lessons; the sale of ranch animals; 4-H and other youth related activities. Allowed ranch uses do not include: dairies; CAFOs, liverys; the retail sale of hay; feed or tack; or equine activities open to the general public.

Ratites: A flightless bird, including ostrich, emu and rhea.

Recorded Plat - A final plat bearing all certificates of approval required by this Ordinance and the Arizona Revised Statutes and duly recorded in the Pinal County Recorder's Office.

Recreational Vehicle Park - A site with required improvements and utilities for both short-term and long-term parking of recreational vehicles, which include services and facilities for the residents.

Recreational Vehicle Space: A parcel of land which is designated and intended for the accommodation of one (1) recreational vehicle on a short-term basis.

Recreational Vehicle: A vehicular type of unit forty (40) feet or less in length and eight (8) feet or less in width, primarily designed for temporary living quarters, recreation, camping, or travel use, which either:

- A. Contains its own motive power as in the case of motor homes, mini-motor homes, or recreational vans;
- B. Is towed by another vehicle as in the case of travel trailers, tent trailers, camper trailers, or watercraft on boat trailers; or

C. Is mounted on another vehicle as in the case of truck campers.

Recycling Center: A facility in which recoverable resources including but not limited to newspapers, glassware, plastics, and metal cans are recycled, reprocessed, and treated to return such products to a condition in which they can again be used for production, and in which some of the operations or storage takes place outside of an enclosed building. This facility is not a junkyard or salvage yard.

Redevelopment: To develop something again, typically for the purpose of modernizing an older or outdated building or structure usually intended for a new purpose, use or occupancy type.

Religious Assembly: A facility used primarily to provide assembly and meeting areas for religious activities. Accessory uses include cultural events, parking, caretaker's housing, buildings ancillary to a religious function, pastor's housing, and group living facilities such as convents.

Relocated Dwelling Units: Either relocated site built or factory built structures must meet current IBC or UBC codes for onsite work when placed at the new location. If the structure does not meet IBC or UBC codes it will not be allowed.

Research Laboratory: A facility for conducting medical or scientific research, investigation, testing, or experimentation; however, this does not include facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory. This definition includes electronic and telecommunications laboratories, including assembly.

Resident Care Home - Housing for a group of no more than six (6) unrelated persons who live in a dwelling because of disability (see "Group Home" for persons without disabilities) and may include staff persons, who may or may not be domiciled in the dwelling, who provide support services, including but not limited to domestic, medical, habilitation, rehabilitation, or other similar services. This definition shall include homes for the developmentally disabled or foster care homes as specifically defined and provided for by the Arizona Revised Statutes, and sober living/substance abuse treatment centers but shall not include halfway/correctional transitional facilities or shelter homes for people at risk.

Resort, Cabins, Lodges: A building or group of buildings containing guestrooms providing outdoor recreational activities such as golf, tennis, horseback riding or swimming for guests. A resort may provide services customarily furnished by a hotel including restaurant, bar and convention facilities. A resort may contain residential dwelling units in conjunction with guestrooms.

Resource Extraction: The on-site extraction of surface or subsurface mineral products or other natural resources, including but not limited to quarries, borrow pits, sand and gravel operations, oil and gas extraction, and mining operations.

Restaurant, With Drive-Through Facilities: Establishments providing food and beverage services to patrons remaining in motor vehicles.

Restaurant, with Off-Track Betting: A facility in which simulcasting of horse or dog racing events held away from the facility are shown for the purpose of pari-mutuel wagering. Operated as an accessory use to a Restaurant as defined within this Ordinance, and authorized by issuance of an Off-site Teletrack Wagering Permit in accordance with A.R.S §5-112, and AAD R19-2-401.

Restaurants: Restaurants providing space for on-premises preparation, consumption, retail sales, and service of food and beverages.

Retail, General: The retail sale or rental of merchandise not specifically listed under another use classification. This classification typical provides goods directly to the consumer, where such goods are available for immediate purchase and removal from the premises by the consumer. Examples include, but are not limited to: pharmacies, jewelry stores, bait shop, bakeries, bookstores, and florists.

Retail, General with Drive-Thru: Same as the above use, but with a drive-thru facility.

Retail, Large Format: A single retail establishment as described above that occupies more than 125,000 square feet of floor area. Examples include, but are not limited to: home improvement stores, grocery super stores, apparel shops, appliance stores, electronic stores, department stores, furniture stores, membership based retail stores, and factory outlet stores.

Retail, Pawn Shop: A business in which a principal business activity involves advancing money on the security of pledged goods or purchasing tangible personal property on the condition that it may be redeemed or repurchased by the seller for a fixed or variable price within a fixed or variable period of time.

Retail, Smoke Shop: A cigar shop, hookah lounge, head shop, electronic cigarette or other retail establishment where the primary activity is the sale of tobacco and smoking related goods/paraphernalia. Smoke shops do not include any individual business establishments that contain tobacco departments/sections that are ancillary to their primary use.

Revegetated: To provide (barren or denuded land) with a new vegetative cover.

Right-of-Way: A public way established or dedicated for public purposes by a duly recorded plat, deed, grant, governmental authority, or by operation of the law.

Rodeo: A public performance featuring bronco riding, calf roping, steer wrestling, and Brahma bull riding.

Roof Mounted: Anything affixed to or located on the roof structure of a building.

Satellite Dish Antenna: A round, parabolic antenna intended to receive signals from orbiting satellites and other sources. Noncommercial dish antennas are defined as being less than thirteen point twelve (13.12) feet (four meters) in diameter, while commercial dish antennas are usually those larger than thirteen point twelve (13.12) feet and typically used by broadcasting stations.

School, Boarding: Private education institutions having curricula of general academic education consistent with the requirements of the State of Arizona that include group living quarters for a student body or religious order as a normal accessory use. This does not include degree-granting colleges or universities.

School, Public or Private 9-12: Facilities for secondary (high school) education, including public schools, charter schools, and private institutions having curricula of general academic education consistent with the academic requirements of the State of Arizona. This includes accessory facilities traditionally associated with schools, such as athletic stadia, cafeterias and libraries.

School, Public or Private K-8: Facilities for primary education, including public schools, charter schools, and private institutions having curricula of general academic education consistent with the academic requirements of the State of Arizona, including kindergarten, elementary, and junior high school, including accessory facilities traditionally associated with schools, such as athletic fields, cafeterias and libraries.

Screening Device: Any structure intended to conceal, fully or partially, an activity or mechanical element from the public view, adjacent uses, properties and/or streets.

Screening: A wall, fence, hedge, informal planting, or berm, provided for the purpose of buffering a building or activity from neighboring areas or from the street.

Section: A section of this Zoning Ordinance, unless some other Code or statute is mentioned.

Self-Storage, Indoor: A building or group of buildings with controlled access that contains varying sizes of individual, compartmentalized, and controlled access garages, stalls or lockers for the storage of customers' goods or wares. This use does not include outdoor storage.

Service Station with Car Wash: Same as the above use, but with a drive-thru car wash facility.

Service Station: Establishments engaged in retailing automotive/boat fuels and may be in combination with providing convenience services.

Setback line: A line that is the required minimum distance from the street right-of-way line or any other lot line that establishes the area within which the principal structure must be placed.

Setback: The required minimum horizontal distance between the building line and the related front side, or rear property line.

Sight Visibility Triangle: The area of visibility on a street corner to allow for safe operations of motor vehicles, pedestrians, and cyclists in the proximity of intersecting streets, rail lines, sidewalks, and bicycle paths. This is a triangular area formed by two (2) intersecting property lines and a line connecting them at a point thirty (33) feet from the intersection of the two property lines. Also see Visibility Triangle.

Sign : Any visual element, or combination of elements, including words or symbols, designed or placed to attract attention or convey information, including any device providing identification, advertising or directional information for a specific business, service, product, person, organization, place, or building, including graphic devices such as logos, obtrusive colored fascia or architectural elements, banners, balloons, streamers, inflatable structures, exterior merchandise displays, projected picture signs, holographic projection signs and other attention attracting media and devices.

Sign Area: Refer to **Section X.X.**

Sign Copy: Any graphic image, symbol, text or numerals that advertise or identify an establishment, product, goods or service.

Sign Face: The area or display surface used for the message.

Sign Panel: The area enclosing the copy and graphic components of a sign.

Sign, A: Frame: A temporary sign, normally supported by its own frame and not affixed to a structure or permanently ground mounted. It is positioned upright in a manner that forms an "A" when in use; also referred to as a "sandwich" or "tent" sign.

Sign, Abandoned: A sign that is no longer associated with the location, product or activity conducted on the same premises upon which the sign is located for a period of 180 days.

Sign, Advertising: A temporary or permanent sign which includes any copy and/or graphics relating to any business, service, product, person, organization, place, or building in addition to simple identification.

Sign, Animated: A permanent sign with actual motion, including light changes or color changes, or the illusion of motion.

Sign, Attached or Wall Mounted: A permanent sign that is directly attached to the façade or face of a building.

Sign, Awning/Canopy: A permanent sign displayed on, or attached flat against, the surface or surfaces of an awning, canopy or any other surface attached to a building that provides shelter.

Sign, Banner: A temporary sign made of fabric, plastic, or other pliable material without a rigid structural support or internal illumination on which advertising copy or graphics may be displayed.

Sign, Billboard: A permanent, off-premise outdoor advertising sign erected, maintained or used for the purpose of commercial or non-commercial messages.

Sign, Building Mounted: Any sign mounted onto the vertical surface of a building; see Sign, Wall.

Sign, Bulletin Board: A permanent sign which identifies an institution or organization on the premises of which it is located and which contains the name of the institution or organization, the names of individuals connected with the institution and general announcements of events or activities occurring at the institution or similar messages.

Sign, Business Anniversary: A temporary sign indicating that the business displaying the sign is celebrating its annual or multi-annual anniversary of its opening.

Sign, Business: A permanent sign that directs attention to a business or profession or to a commodity or service sold, offered or manufactured or to an entertainment offered on the premises where the sign is located.

Sign, Cabinet: An enclosed frame constructed to hold internal components and covered by a face to hold the advertising sign.

Sign, Canopy: See Sign, Awning/Canopy.

Sign, Changeable Copy: A permanent sign constructed to hold individual letters or individual text sections that are mounted in or on a track system. Changeable Copy Signs are usually used as directory signs.

Sign, Construction: A temporary sign erected on the premises where construction is taking place during the period of such construction indicating the names of the architects, engineers, landscape architects, contractors or similar artisans and the owner, financial supporter, sponsors and similar individuals or firms having a role or interest with respect to the structure or project.

Sign, Development: A permanent sign situated on the subject property indicating the name of a park, complex or center usually located at or near the entry and which may be internally or externally illuminated.

Sign, Directory: A sign listing the names and/or uses, and/or locations of the various tenants or activities within a building, or in a multi-tenant development, or group of buildings. Directory Signs may also be constructed as Changeable Copy Signs.

Sign, Electronic Message Center: A permanent sign that uses computer-generated or electronic components to change advertising copy, messages or color, including signs that flip or rotate.

Sign, Externally Illuminated: A permanent or temporary sign exposed to external artificial lighting (and shielded to prevent light spillage).

Sign, Fascia: A sign that is permanently affixed to the horizontal member or surface at the edge of a projecting roof.

Sign, Flashing: A permanent sign with an intermittent, repetitive or flashing light source.

Sign, Freestanding/Monument: A permanent sign that has its own supporting structure independent of the building or business it identifies.

Sign, Fuel Price: A permanently mounted, two (2) component sign displaying business identification and the retail cost of a gallon of gas/diesel on the premises of the retail establishment.

Sign, Future Development: A temporary sign which announces the proposed development of property prior to the issuance of a building permit.

Sign, Garage Sale: A temporary sign indicating that a private residence is holding a sale on its property of any items previously used on the property.

Sign, Gas-Filled: Any sign that uses neon, argon, krypton or any similar gas to illuminate transparent or translucent tubing or other materials, or any use of neon, argon, krypton or any similar gas lighting on or near the exterior of a building or window.

Sign, Going Out of Business: A temporary sign indicating that the business displaying the sign will cease and be discontinued at a specific location and date.

Sign, Ground Mounted: A Freestanding Sign with no visible base.

Sign, Holiday Decoration: A temporary sign in the form of decorations and/or window painting that are clearly incidental to and customarily and commonly associated with any national, state, local or religious holiday.

Sign, Identification: A sign that contains only the name of the business, person, organization, place, or building at that location.

Sign, Illuminated: A permanent sign, that is lighted, either externally or internally.

Sign, Internally Illuminated: A sign constructed with a light source within the sign structure and positioned behind the face of the sign.

Sign, Legal Non-Conforming: Any permanent sign in existence or under construction, as of the effective date of this Ordinance, which does not conform to the provisions of this

Ordinance but which was or is being constructed, erected or maintained in compliance with all previous regulations.

Sign, Menu Board: A permanent sign with a changeable face oriented to the drive-through lane of a business that advertises the menu items or services available from the drive-through window.

Sign, Multi-Tenant Building Identification: A permanent sign for a building complex or center that contains any number of businesses, greater than one, that share the same site and use common points of vehicular ingress and egress to and from the site.

Sign, Nameplate: A permanent sign that may include street number and name, business hours, and business logo.

Sign, Nonconforming: Any sign and/or its structure lawfully erected and maintained which no longer conforms to the provisions of this section for reasons beyond the control of the sign owner, sign user or for reasons beyond the control of the property owner.

Sign, Off-Premise Directional: A temporary, portable sign containing maneuvering guidance to a destination within the City’s municipal boundary, which may only be located in specified areas of City road rights-of-way during specified times.

Sign, Off-Site/Off-Premise: Any permanent or temporary sign that may display a message, whether commercial or noncommercial, that may not necessarily relate to the premises upon which the sign is located.

Sign, On-Site/On-Premise: Any permanent or temporary sign which pertains to the business operated, activity conducted or products sold or manufactured on the premises upon which the sign is located; or which displays a noncommercial message installed or caused to be installed only by the property owner and/or lessee of the property upon which the sign is located.

Sign, Parapet: A sign mounted to the face of a building parapet.

Sign, Permanent: Any sign set in the ground with its own foundation or which is painted on or otherwise anchored to a building, wall or other permanent structure and any of which are installed to achieve a lasting and enduring condition and location.

Sign, Political: A temporary sign that identifies a person, expresses a position, conveys a message concerning, or advocates a position on, the candidacy of a person, party or issue on an upcoming ballot.

Sign, Portable: Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by persons or wheels; signs converted to A: frames; menu and sandwich board signs; balloons used as signs; umbrellas for advertising; and signs attached to or painted on vehicles.

Sign, Projecting: A permanent sign that extends more than twelve (12) inches from a building wall over a property line or right-of-way line.

Sign, Pylon: A Freestanding Sign constructed with a support structure that is more than ten (10) % of the height of the total sign and less than ninety (90) % of the width of the

sign. The sign support structure shall not be included in the aggregate sign area computation.

Sign, Reader/Sign Board: A permanent, non–electronic sign only for public facility land uses that conveys schedules of events, rules, regulations, announcements, or similar messages.

Sign, Roof: Any sign affixed on, above or over the roof of a building so that it projects above the roofline is prohibited. The top of a parapet wall shall be considered the roofline. The vertical portion of a mansard roof shall be considered the roofline. The top of the fascia of a hipped roof shall be considered the roofline. Where a parapet wall is combined with a mansard roof, the roofline shall be the top of the parapet.

Sign, Sandwich: See Sign, A–Frame.

Sign, Spherical: A permanent sign that is three (3) dimensional and embodies imagery of a symbol (i.e. book, shoe, glasses, etc.) that assists in advertising a business.

Sign, Street Address: A permanent sign located on-site, consisting of numerals and letters identifying a property address.

Sign, Subdivision Identification: A set of four (4) permanent and identical signs that identify the residential subdivision, are attached to a screen wall or landscape planter adjacent to both sides of the two public streets that provide primary vehicular access, and are designed and sited in a manner consistent with the architectural style and landscape theming of the site and shall be no greater than eight (8) square feet each.

Sign, Temporary: A sign intended to display either commercial or non–commercial messages of a transitory or temporary nature. Portable signs, any sign not permanently embedded in the ground, or signs affixed to a building, wall, fence, or sign structure for a non–permanent time period, are considered temporary signs. A banner, pennant, flag, poster, balloon, construction sign, political sign or an A–frame sign shall be considered a temporary sign.

Sign, Two–Part: A permanent sign composed of two (2) sign panels, at an angle equal to or more than 45 degrees, whose aggregate sign area shall be computed from the total of both panels.

Sign, Walker: A person, who wears, holds or balances a portable sign.

Sign, Wall: A permanent sign which is fastened to any vertical portion of a building; see also Sign, Building Mounted.

Sign, Weekend Directional: A sign, supplying pertinent maneuvering guidance for the purpose of promoting safety and the flow of vehicular or pedestrian traffic (i.e. “one way”, “entrance”, “exit”, etc.).

Sign, Window: Any permanent sign, pictures, symbols or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service that is affixed to, or located within, any area up to six (6) feet behind a window pane, positioned to be read from the exterior of a building.

Single–Family Semi–Detached Dwelling: A single–family dwelling attached to one other single–family dwelling by a common vertical wall, and each dwelling located on a separate lot and having one side yard.

Single Housekeeping Unit : Any number of related, or up to six (6) unrelated, persons living as the functional equivalent of a traditional family, whose members are an interactive group of persons jointly occupying a single dwelling unit, including the joint use of and responsibility for common areas, and sharing household activities and responsibilities (e.g. meals, chores, household maintenance, expenses, etc.) and where, if the dwelling unit is rented, all adult residents have chosen to jointly occupy the entire premises of the dwelling unit, under a single written lease with joint use and responsibility for the premises, and the makeup of the household and length of stay is determined collectively by the residents of the dwelling unit rather than the landlord or property manager.

Site Built Dwelling: A structure or dwelling constructed on the site by craftsmen utilizing materials delivered to the site. Said structure shall consist of footings and foundations poured in place, permanently attached to the walls. Roofing materials, interior and exterior finishes shall be applied on the site. All construction shall be in conformance with all uniform codes in force at the time of construction. This definition does not include relocated site built homes.

Site Plan: A plan, prepared to scale, showing accurately and with complete dimension, the boundaries of a site and the location of all buildings, structures uses, principal site development features, or any other information required by this Ordinance, which is proposed for a specific parcel of land.

Site: The building or structure area leased or owned by, or on behalf of, any business together with its adjacent privately owned walkway or parking area.

Slope: An inclined ground surface, the differential of which is expressed as a ratio of horizontal distance to vertical distance.

Small Wireless Facility: A wireless facility that meets both of the following qualifications:

- A. each antenna is located inside an enclosure of not more than six (6) cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of the antenna's exposed elements could fit within an imaginary enclosure of not more than six (6) cubic feet in volume.
- B. all other wireless equipment associated with the facility is cumulatively not more than twenty-eight (28) cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume pursuant to this subdivision:
 1. An electric meter.
 2. Concealment elements.
 3. A telecommunications demarcation box.
 4. Ground-based enclosures.
 5. Grounding equipment.

6. A power transfer switch.
7. A cut-off switch.
8. Vertical cable runs for the connection of power and other services.

Social Service Facility: Facilities providing a variety of supportive services for disabled and homeless individuals and other targeted groups on a less-than-24-hour basis. Examples of services provided are counseling, meal programs, personal storage lockers, showers, instructional programs, television rooms, and meeting spaces. This classification is distinguished from a hospital, nursing home, day care center, group care home, treatment facility, health clinic, or emergency shelters providing 24-hour or overnight care.

Solar Generation Facility: An electrical energy generation plant comprised of one or more freestanding, ground mount devices that capture solar energy and convert it to electrical energy for use by an offsite electric utility provider. Solar generation stations typically utilize photovoltaic solar cells, but they may also be combinations of light reflectors, concentrators, heat exchangers or other technology. A solar generation station is also known as a solar plant, solar generation plant, solar farm, concentrated solar power plant, solar power plant, or solar thermal power plant (if nonphotovoltaic).

Special Event Permit: A permit issued by the Zoning Administrator for the purpose of any fair, parade, march, procession, festival, street dance, circus, carnival, concert, performance, rodeo, race, Christmas tree sales lot or another temporary activity using outdoor spaces and inviting public participation and patronage (with or without charge) whether held on public or private property. There are two types of Special Events: Civic Events and Commercial Activities.

Special Flood Hazard Area (SFHA): The land area covered by the floodwaters of the base flood (one percent annual chance flood) is the Special Flood Hazard Area (SFHA) on the Federal Emergency Management Agency's (FEMA's) Flood Insurance Rate Maps (FIRMs). The SFHA is the area where the National Flood Insurance Program's (NFIP's) floodplain management regulations must be enforced and the area where the mandatory purchase of flood insurance applies. The SFHA includes Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE, and V.

Specified Anatomical Areas: Less than completely and opaquely covered human genitals, pubic region, buttock and female breast below a point immediately above the top of the areola; and human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities: Human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse or sodomy; fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

Stable, Commercial: A stable of horses, mules, or ponies, which are bred, hired, shown or boarded on a commercial basis and for compensation. This facility may offer equestrian lessons and may include a show arena and viewing stands.

Stable, Private: A detached accessory building for the keeping of horses, mules, or ponies owned by the occupants of the premises and not kept for remuneration, hire or sale.

Stay Quarters - An attached unit to a principal indoor storage building or unit that may be used as a temporary residence by the owner, subject to the provisions of **Section X.X**.

Story: That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. "Story" includes a basement, but not a cellar.

Street Width: The shortest distance between street lines, measured at a right angle to the street right-of-way.

Street, Arterial: A street designed to carry large volumes of traffic with a high level of mobility and reduced access points. Arterials provide efficient vehicular movement between originations and destinations of the City as designated on the Circulation Map in the adopted Eloy General Plan.

Street, Collector: Streets that conduct and distribute traffic between arterial and local streets, which balance access and mobility. This is the highest order of street appropriate to a residential neighborhood and residential street frontage along it should be prohibited or severely restricted.

Street, Private: A circulation corridor intended for local vehicular traffic, owned and maintained by a private corporation, individual, or group of individuals.

Street: A right-of-way, dedicated to public or private use, which provides the principal vehicular and pedestrian access to adjacent properties.

Structural Alterations: Any change in the supporting components of a building, such as bearing walls or partitions, columns, beams or girders, or any complete rebuilding of the roof or exterior walls.

Structure: Anything constructed or erected, which requires location on the ground or attached to an object located on the ground.

Subdivision Ordinance: Formally referred to as the "City of Eloy Subdivision Ordinance" which regulates the process, design and improvements of subdivisions where development of property(s) necessitate the division(s) of land to achieve orderly growth and harmonious development patterns. The Subdivision Ordinance helps ensure adequate vehicular and pedestrian traffic circulation through coordinated street systems with relation to major thoroughfares, adjoining subdivisions, and public facilities; to achieve individual property lots of reasonable utility and livability; to secure adequate provisions for water supply, drainage, flood protection, sanitary sewerage, and other health and safety requirements; to ensure consideration for adequate sites for schools, recreation areas, and other public facilities; to promote the conveyance of land by accurate legal description; and to provide practical procedures for the achievement of this purpose.

Subdivision: In accordance with ARS 9-463.02, a "subdivision" means improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into four or more lots, tracts or parcels of land, or, if a new street is involved, any such property which is divided into two or more lots, tracts or parcels of land, or, any such property, the boundaries of which have been fixed by a recorded plat, which is divided into more than two parts. "Subdivision" also includes any condominium, cooperative, community apartment, townhouse or similar project containing four or more parcels, in which an undivided interest in the land is coupled with the right of exclusive

occupancy of any unit located thereon, but plats of such projects need not show the buildings or the manner in which the buildings or airspace above the property shown on the plat are to be divided.

"Subdivision" does not include the following:

1. The sale or exchange of parcels of land to or between adjoining property owners if such sale or exchange does not create additional lots.
2. The partitioning of land in accordance with other statutes regulating the partitioning of land held in common ownership.
3. The leasing of apartments, offices, stores or similar space within a building or trailer park, nor to mineral, oil or gas leases.

Subdivision Plat: Means a map of a subdivision.

Substance Abuse Detoxification Center: An inpatient health facility staffed by medical professionals providing therapy and/or rehabilitation for substance–dependent individuals. Methadone distribution centers are included.

Substance Abuse Treatment Center: A health facility providing therapy and/or rehabilitation for substance–dependent individuals on an outpatient basis. Methadone distribution centers are included.

Sustainability: Sustainability relates to or is a method of using a resource so that the resource is not depleted or permanently damaged. The organizing principle for sustainability is sustainable development, which includes the integration and balance of social, environmental, human and economic goals in development policies and activities.

Swimming Pool, Hot Tub: A manmade, water filled enclosure that is eighteen (18) inches or more in depth which prevents the direct percolation of surface water into the underlying earth and is used for swimming or recreation.

Tasting Room: A facility for alcoholic beverage tasting and retail sales of related merchandise to customers who are physically present at the tasting room, subject to State licensing requirements.

Tenant Improvements: The alteration of interior space.

Temporary Use or Building: A use or structure permitted under this Ordinance to exist for a limited period of time.

Three Hundred Sixty-Degree Architecture: Architectural treatments that are consistently applied to all four sides/elevations of a building. The intent is to avoid excessive architectural treatments on one side of a building at the expense of offering limited enhancements to other sides of a building that may or may not have an appearance from a right-of-way.

Total Aggregate Sign Area: The entire area of all sign surfaces upon which sign copy and/or imagery may be placed, excluding any supporting structure.

Tour Services: Businesses primarily engaged in providing recreation and other leisure based activities for tourists, as well as local residents, including, but not limited to: jeep tours, helicopter tours, and hiking tours.

Tower: Any structure that is designed and constructed primarily for the purpose of supporting one (1) or more antennas for telephone, radio and similar communication purposes, including monopole towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, and digital and/or cellular telephone towers, alternative tower structures, and the like. The term also includes the structure and any support thereto. Lattice type structures or structures which require the use of guy wires are strongly discouraged.

Trade School or Instructional School: A specialized instructional establishment that provides on-site training of business, artistic, or commercial skills, or a trade school that prepares students for jobs in a trade (e.g., carpentry). Examples include, but are not limited to, fine arts schools, computer instructional services, and driving schools.

Traffic Impact Analysis (TIA): A study that provides information on the projected traffic expected from a proposed development. A TIA evaluates the impact of proposed development on the roadways in the immediate proximity of the proposed development.

Traffic Pattern Airspace-need definition: The traffic flow that is prescribed for aircraft landing at or taking off from an airport. The components of a typical traffic pattern are the upwind leg, crosswind leg, downwind leg, base leg, and final approach.

Trailer, Commercial: A vehicle designed for transportation upon its own wheels and drawn by another vehicle and used to conduct a business or occupation, or as a selling or advertising device, even though mounted on jacks, blocks, foundations or supports.

Transfer of Development Rights (TDR): In a Planned Area Development, permitting the unused allowable residential densities from one development to accrue to another development upon trade or sale through the private real estate market. (Example: Increasing the dwelling unit yield for a mixed use or multiple residence development by acquiring unutilized dwelling unit entitlements from a different site.)

Travel Plaza/Truck Stop: Any building, premises, or land in which, or upon which, a business, service, or industry involving the maintenance, servicing, storage, or repair of commercial vehicles is conducted or rendered, including the dispensing of motor fuel or other petroleum products directly into motor vehicles and the sale of accessories or equipment for trucks and similar commercial vehicles. A travel plaza may also include overnight accommodations and restaurant facilities primarily for the use of truck crews.

Underlying District: The base zoning district classification applying to a group of properties upon which additional overlay district regulations are superimposed.

Uniform Fire Code: See “International Fire Code”

Urban: The combination of buildings, structures, and streetscape that form a distinct neighborhood or section of a city or urban place.

Use: The principal purpose for which a lot or the main building is designed, arranged, or intended, and for which it may be used, occupied, or maintained.

Utility Facility and Service Yard, Major: A service of a regional nature that normally entails the periodic construction/expansion of buildings or structures, and that typically has employees on the site on an ongoing basis. Examples include, but are not limited to: wastewater treatment plants, sewer lift stations, water treatment plants, reservoirs, power plants, and accessory maintenance yards.

Utility Facility, Minor: A service that is necessary to support development within the immediate vicinity and that involves only minor structures. Employees typically are not located at the site on an ongoing basis. Examples include, but are not limited to: electric transformer stations; natural gas regulator stations; telephone/fiber exchange buildings; well, water, and sewer pumping stations; water storage tanks; and water pressure regulating stations.

Vacation Home Rental: Any individually or collectively owned single-family or multi-family dwelling unit, rented for occupancy for dwelling, lodging, or sleeping purposes for a period of twenty-nine (29) consecutive days or less, other than ongoing month-to-month tenancy granted to the same renter for the same unit, occupancy on a time-share basis, or a condominium hotel.

Vector Control: Any method used to limit or eradicate the mammals, birds, insects or other arthropods (here collectively called "vectors") which transmit disease pathogens. The most frequent type of vector control is mosquito control using a variety of strategies.

Vehicle, Inoperative: Any motor vehicle that cannot be operated lawfully on a public street or highway for any reason other than the lack of current vehicle registration, or that cannot be moved under its own power.

Vehicle, Electric: A vehicle which uses one or more electric motors for propulsion.

Vehicle Service: A tune-up or a series of maintenance procedures carried out at a set time interval or after the vehicle has travelled a certain distance.

Vehicle Stacking: Generally refers to a circumstance where a parking area, driveway or garage is intentionally designed to provide for one car to be parked directly behind another vehicle, or "stacked" whereas the first vehicle is unable to move without the second vehicle also moving.

Visible: Means capable of being seen (whether or not legible) by a person of normal height and visual acuity walking or driving on a public road.

Wall: Means any exterior surface of a building or any part thereof, including windows.

Waste Facility, Landfill: A planned and approved method or system of solid waste disposal in which the waste is disposed or buried in layers, compacted by earth or other approved methods, also known as a sanitary landfill.

Waste Facility, Transfer Station: A facility or site where solid waste from households, businesses, and industries is transferred from one type of collection vehicle or container to another. Transfer activities occur entirely within covered structures. A transfer station is an intermediary point between the locations of waste generation and the sites of ultimate processing or disposal. This term does not include liquid waste transfer, hazardous or toxic waste disposal, solid waste disposal, or liquid waste recycling or refining activities.

Watchman’s Quarters: An attached unit to a principal building that may be used as a permanent residence for employees of businesses or property owners when their presence is required for security purposes by the employer twenty-four (24) hours a day, subject to the provisions of Section 3.2.6.B.

Wheel Stop: means a physical barrier sufficient in size to prevent the movement of automobiles or other vehicles over or past such barrier along a street or parking lot.

Whip Antenna: A long and thin device that transmits and/or receives radio frequency signals in a three hundred sixty (360) degree radial pattern.

Wholesale Establishment: An establishment primarily engaged in the sale or distribution of goods and materials in large quantity to retailers or other businesses for resale to the general public or business customers, and limited retail uses when directly associated with the wholesale use. This term shall not include heavy manufacturing, resource extraction, bulk storage of hazardous materials, or scrap or salvage operations.

Wireless Facility:

- A. Equipment at a fixed location that enables wireless communications between user equipment and a communications network, including both of the following:
 - 1. Equipment associated with wireless communications.
 - 2. Radio transceivers, antennas, coaxial or fiber-optic cables, regular and backup power supplies and comparable equipment, regardless of technological configuration.
- B. Includes small wireless facilities.
- C. Does not include the structure or improvements on, under or within which the equipment is collocated.

Wireless Facility, Amateur Services, Tower and Antennas - A radio communication service, and associated equipment for the purpose of self-training, intercommunication and technical investigation carried out by amateurs, that is, by duly authorized persons interested in radio technique solely with a personal aim and without pecuniary interest.

Wireless Facilities, Antenna - Any device used to collect or radiate electromagnetic waves, excluding any antenna support structure, other than mounting brackets.

Wireless Facility, Antenna Array - An assembly of antenna elements with dimensions, spacing, and illumination sequence such that the fields for the individual elements combine to produce a maximum intensity in a particular direction and minimum field intensities in other directions.

Wireless Facility, Antenna Support Structure / Tower - A commercially manufactured structure designed and constructed specifically to support an Antenna or Antenna Array and equipment associated with a single or collocated Wireless Facility, and may include a monopole, self-supporting (lattice) tower, guy wire support tower and other similar structures.

Wireless Facility, Attached Wireless Facility - An attached Wireless Facility is an antenna array that is attached to an existing building or structure, which structures shall include, but not be limited to, utility poles and water towers, with any accompanying pole or attachment device which attaches the antenna array to the existing building or structure, transmission cables, and an equipment facility which may be located either inside or outside of the attachment structure.

Wireless Facility, Camouflaged - A Wireless Facility that is disguised, hidden, part of an existing or proposed structure or placed within an existing proposed structure is considered camouflaged. Examples include “mono-palms”, “mono-pines”, flag poles, clock towers, and water towers.

Wireless Facility, Co-Location - Co-location / Site Sharing shall mean the use of a common Wireless Facility or common site by two (2) or more wireless license holders or by one (1) wireless license holder for more than one type of communications technology and / or placement of a Wireless Facility on a structure owned or operated by a utility or other public entity.

Wireless Support Structure:

A. A freestanding structure, such as a monopole.

1. A tower, either guyed or self-supporting.
2. A billboard.
3. Any other existing or proposed structure designed to support or capable of supporting wireless facilities.

B. Does not include a utility pole.

Wireless Facility, Height - When referring to a Wireless Facility, height shall mean the distance measured from ground level to the highest point on the Wireless Facility antenna support structure, including the antenna.

Wireless Facility, Setbacks - When referring to an Antenna support structure, Setback shall mean the required distance from the antenna support structure to the property line of the parcel on which the Wireless Facility is located.

Wireless Facility, Temporary Wireless Communication Facility (Temporary WF) - Temporary Wireless Communication Facility shall mean a Wireless Facility which is to be placed in use for a limited period of time, is not deployed in a permanent manner, and does not have a permanent foundation.

Wireless Facility, Tower / Antenna Support Structure - A structure designed and constructed specifically to support an Antenna or Antenna Array, and may include a monopole, self-supporting (lattice) tower, guy-wire support tower and other similar structures.

Wireless Facility, Un-licensed Wireless Service - Un-licensed wireless services are defined as the offering of telecommunications services using duly authorized devices which do not require individual licenses; direct-to home satellite services are excluded from this definition. 47 U.S.C.o 332 (c)(7)(C)(iii).

Wireless Facility, Wireless Communication Facility - A Wireless Facility is any facility used for the transmission and/or reception of wireless communication services, usually consisting of an antenna array, transmission cables, equipment facility, and antenna support structure(s).

Wireless Communication Services - Wireless Communication Services shall mean any Personal Wireless Services (as defined in the Federal Telecommunications Act of 1996) which includes Commercial Mobile Services, Un-licensed Wireless Service, Common Carrier Wireless Exchange Access Services, and similar services that currently exist or that may in the future be developed.

Yard, Required Front: An open space extending the full width of the lot between the front lot line and the front line of the building projected to the side lines of the lot. A front yard setback is established parallel to the front lot line.

Yard, Required Rear: An open unoccupied space extending the full width of the lot between the rear lot line and the rear line of the building. A rear yard setback is established parallel to the rear lot line.

Yard, Required Side: An open space extending from the required front yard to the required rear yard between a side setback and a side lot line.

Yard, Side: Open space between the side–lot line, the side–property line, or the proposed side–property line, and the building line and extending from the front yard to the rear yard

Yard: Open space on the same lot with a building or group of buildings, lying between the building (or outer building of a group) and the nearest lot or property line and unoccupied and unobstructed from the ground upward.

Zero Lot Line: The location of a building on a lot in such a manner than one or more of the building's sides rests directly on a lot line.

Zone: An area within which certain uses of land and buildings are permitted and certain others are prohibited; yards and other open spaces are required; lot areas, building height limits, and other requirements are established; all of the foregoing being identical for the zone in which they apply.

Zoning Administrator: The staff/official responsible for the enforcement and interpretation of the Zoning Ordinance. Also known as the Community Development Director.

Zoning Clearance: The approval by the Zoning Administrator of a plan that is in conformance with the Zoning Ordinance of the City of Eloy.

Zoning District: A designated area in which the same zoning regulations apply.

Zoning Map: The official zoning map of the City of Eloy which depicts the location and boundaries of the various zoning districts within the Eloy municipal limits.

Zoning Ordinance: The Ordinance that identifies the specific district areas and those uses that are permitted, conditional permitted or not permitted in the City of Eloy.